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of Vermont...1837.

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JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES,  
OF THE  
STATE OF VERMONT,  
OCTOBER SESSION,  
1837.

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Montpelier,

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1837,



## JOURNAL.

On the second Thursday, being the 12th day of October, A. D. 1837, pursuant to the constitution and laws of Vermont, the House of Representatives convened at Montpelier.

At nine o'clock in the morning, the clerk having called to order, proceeded to call the names of the gentlemen who had presented their credentials, and the following were present, duly sworn and took their seats as members :

### BENNINGTON COUNTY.

*Arlington*, Julius Bebee  
*Bennington*, Geo. Briggs  
*Dorset* Robert Bloomer  
*Glastenbury*, Asa G. Hewes  
*Landgrove*, David Wiley  
*Manchester*, Aaron Baker  
*Pownal*, Elijah Barber  
*Peru*, Israel Batchelder

*Readsboro'*, Jacob Hicks  
*Sandgate*, Samuel Cogswell  
*Shaftsbury*, Jared Hayward  
*Stamford*, James Houghton  
*Sunderland*, Frank. M'Laughlin  
*Winhall*, Francis Kidder jr.  
*Woodford*, Henry Harwood

### WINDHAM COUNTY.

*Athens*, Amos Davis  
*Brookline*, Wm. Adams  
*Brattleboro'*, Calvin Townsley  
*Dover*, James Miner  
*Dummerston*, Joseph Duncan  
*Grafton*, Ambrose Burgess  
*Guilford*, Ward Bullock  
*Halifax*, Isaac Worden  
*Jamaica*, Nathan Ames  
*Londonderry*, Alfred Pierce  
*Marlboro'*, Hubbard H. Winchester

*Newfane*, James Elliott  
*Rockingham*, John Seaver  
*Somerset*, Hollis Town  
*Stratton*, David Rice  
*Townshend*, John H. Brigham  
*Vernon*, Ebenezer Howe jr  
*Wardsboro'* Emery Wheelock  
*Westminster*, David Allen  
*Whitingham*, Wm. Bond jr.  
*Wilmington*, Chas. K. Field  
*Windham*, Amos Emery

### RUTLAND COUNTY.

*Benson*, Wm. Field  
*Brandon*, Franklin Farrington  
*Castleton*, Hyde Westover  
*Clarendon*, Enoch Smith  
*Chittenden*, Capen Leonard, jr.  
*Danby*, Rufus Bucklin, jr.  
*Fairhaven*, Wm. C. Kittredge  
*Hubbardton*, Seth St. John  
*Ira*, Leonard Mason  
*Mendon*, Timothy Gibson  
*Middletown*, Eliakim Paul  
*Mountholly*, Rufus Crowley  
*Orwell*, Joseph H. Chittenden

*Pawlet*, Joshua Potter  
*Pittsfield*, Eleazer B. Rockwell  
*Pittsford*, Samuel H. Kellogg  
*Poultney*, Wm. L. Farnham  
*Rutland*, Solomon Foot  
*Sherburne*, Silas Colton  
*Shrewsbury*, Harry Holden  
*Sudbury*, Isaac Ketchum  
*Tinmouth*, Jeffrey Ballard  
*Wallingford*, Dennis Hewlett  
*Wells*, Samuel Culver  
*Westhaven*, Horace Adams

## WINDSOR COUNTY.

*Andover*, John B. Manning  
*Baltimore*, Jona. Woodbury jr.  
*Barnard*, Ebenezer Atwood, jr.  
*Bethel*, David Woodbury  
*Bridgewater*, Lyman Raymond  
*Cavendish*, Levi Jackman  
*Chester*, Abner W. Field  
*Hartford*, Andrew Tracy  
*Hartland*, Daniel Ashley  
*Ludlow*, Sewall Fullam, jr.  
*Norwich*, Alden Partridge

*Pomfret*, Henry Hewett  
*Reading*, Bridgman Hapgood  
*Rochester*, Joseph F. Tilden  
*Sharon*, John Baldwin  
*Springfield*, Bezaleel Wood  
*Stockbridge*, Samuel Eaton  
*Weathersfield*, Jona. Lawrence  
*Weston*, Perkins N. Wiley  
*Windsor*, Charles Hopkins  
*Woodstock*, John Moulton

## ADDISON COUNTY.

*Addison*, Lyman Clark  
*Bridport*, Luther Corey  
*Bristol*, Horatio Needham  
*Cornwall*, Jesse Ellsworth  
*Ferrisburgh*, Luther Carpenter  
*Goshen*, Francis Brown  
*Granville*, David Eaton  
*Hancock*, Charles G. Robbins  
*Leicester*, Otis Capron  
*Lincoln*, William W. Poje

*Middlebury*, Elisha Brewster  
*Monkton*, Luman B. Smith  
*New Haven*, Osmund Doud  
*Panton*, Silas Pond  
*Shoreham*, Davis Rich  
*Starksboro*, Ira Bushnell  
*Vergennes*, Belden Seymour  
*Waltham*, Joseph Everts  
*Weybridge*, Lauren Drake  
*Whiting*, Samuel T. Walker

## ORANGE COUNTY.

*Bradford*, J. W. D. Parker  
*Braintree*, Elijah Flint  
*Chelsea*, Thomas Winslow  
*Corinth*, George Sleeper  
*Fairlee*, Samuel Moore  
*Newbury*, Simeon Stevens, jr.  
*Orange*, Louis F. Peabody  
*Randolph*, Sylvanus Blodgett

*Strafford*, Royal Hatch  
*Thetford*, Harry Gillett  
*Topsam*, David Corliss  
*Tunbridge*, Charles B. Chandler  
*Vershire*, Simeon Bacon  
*Washington*, John Colby  
*West Fairlee*, George May  
*Williamstown*, Wm. S. Beckett

## CHITTENDEN COUNTY.

*Bolton*, John Pineo  
*Burlington*, Harry Bradley  
*Charlotte*, Pitt E. Hewett  
*Colchester*, Thomas Brownell  
*Essex*, Byron Stevens  
*Hinesburgh*, Stephen Byington  
*Huntington*, John Snyder  
*Jericho*, Lyman Field

*Milton*, George Ayres  
*Richmond*, Artemas Flagg  
*Shelburne*, Samuel Fletcher  
*St George*, Reuben Lockwood  
*Underhill*, Reuben Parker  
*Westford*, Wm. Wood  
*Williston*, David French

## WASHINGTON COUNTY.

*Barre*, Jacob Scott, jr.  
*Berlin*, James Currier  
*Calais*, Joseph Lance  
*Duxbury*, David Belding  
*Fayston*, Merrill Tyler  
*Marshfield*, Welcome Cole  
*Middlesex*, John Vincent  
*Montpelier*, Lucius B. Peck  
*Moretown*, Ira Carpenter

*Northfield*, Jesse Averill  
*Plainfield*, James Palmer  
*Roxbury*, Charles Samson  
*Waitsfield*, R. Richardson, jr.  
*Waterbury*, P. Dillingham, jr.  
*Warren*, William Cardell  
*Worcester*, Milton Brown  
*Woodbury*, Asaph Town

## CALEDONIA COUNTY.

*Barnet*, Walter Harvey  
*Burke*, Joel Trull  
*Cabot*, Jeremiah Atkins  
*Danville*, Andrew M'Millan  
*Groton*, John Darling  
*Hardwick*, Levi Goodrich  
*Lyndon*, Elias Bemis, jr.  
*Newark*, Philemon Hartwell

*Peacham*, Moses Martin  
*Ryegate*, Thomas Nelson  
*St. Johnsbury*, Erastus Fairbanks  
*Sutton*, Wm. Hutchinson  
*Walden*, Nathan Farrington, jr.  
*Waterford*, Lyman Buck  
*Wheelock*, Jonathan Nelson

## FRANKLIN COUNTY.

*Bakersfield*, S. Berkley Hazletine  
*Berkshire*, John S. Webster  
*Enosburgh*, Jonas Boutell  
*Fairfax*, Aifred Wheeler  
*Fairfield*, Joab Smith  
*Fletcher*, John Kinsley, jr.  
*Franklin*, Henry Bowman

*Georgia*, Elijah Dee  
*Highgate*, John Barr  
*Montgomery*, B. W. Fuller  
*Richford*, Alden Sears  
*Sheldon*, Cyrus Keith  
*St. Albans*, John Smith  
*Swanton*, Geo. W. Foster

## ORLEANS COUNTY.

*Albany*, Rufus B. Hovey  
*Barton*, Amos C. Robinson  
*Brownington*, Jeremiah Huntoon  
*Charleston*, Elisha Bingham  
*Coventry*, Argalus Harmon  
*Craftsbury*, William J. Hastings  
*Derby*, Lemuel Richmond  
*Glover*, Charles Hardy  
*Greensboro'*, George H. Paige

*Holland*, Jason Hinman  
*Irasburgh*, Ira H. Allen  
*Lowell*, Herod Farman  
*Morgan*, Jotham Cummings  
*Newport*, Asa B. Moore  
*Salem*, Noyes Hopkinson  
*Troy*, Horace A. Warner  
*Westmore*, David Wilson

## LAMOILLE COUNTY.

*Cambridge*, Oel Safford  
*Eden*, Luther H. Brown  
*Elmore*, Peleg Scofield  
*Hydepark*, Levi Edgerton  
*Johnson*, Levi B. Vilas

*Mansfield*, Elisha A. Town  
*Morristown*, Joseph Sears  
*Stowe*, Elisha Cady  
*Waterville*, Moses Fisk  
*Wolcott*, Isaac Pennock, jr.

## ESSEX COUNTY.

*Bloomfield*, Martin French  
*Brunswick*, John Schoff  
*Brighton*, Harvey Coe  
*Canaan*, William Morrill  
*Concord*, Moses Hill

*Granby*, Ashley Appleton  
*Guildhall*, John Dewey  
*Lemington*, John Bailey 2d  
*Lunenburg*, Stephen Howe  
*Maidstone*, Joseph Rich

## GRAND ISLE COUNTY.

*Alburgh*, Geo. W. Goodrich  
*Grand Isle*, Samuel Adams  
*Isle La Motte*, William Dawson

*North Hero*, Benjamin Butler  
*South Hero*, David Corbin.

On motion of Mr. Hazletine, Mr. James Boutell was permitted to take his seat on the floor of the House, as the member from the town of Enosburg, without producing his credentials.

On motion of Mr. Peck, Mr. Merrill Tyler was permitted to take his seat on the floor of the House, as the member from the town of Fayston, without producing his credentials.

Messrs. Boutell and Tyler both appeared and were sworn.

On motion of Mr. Kittredge, it was ordered that the House now proceed to elect a Speaker *pro tempore*.

Whereupon the ballots being taken, sorted and counted, the

**HON. SOLOMON FOOT,**

the representative from the town of Rutland, was duly elected and sworn.

On motion of Mr. Fairbanks, it was ordered that the House now proceed to elect a Clerk, *pro tempore*.

Whereupon, the ballots being taken, sorted and counted,

**A. L. MINER,**

was duly elected and sworn.

On motion of M. Vilas, the rules of last session were adopted, till others are adopted.

The clerk was directed to inform the Senate that the House had organized, and were ready to proceed to business.

A message from the Senate, by Mr. Williams, their secretary:

**MR. SPEAKER,**—The Senate have assembled, and are ready to proceed to business,—they have also appointed on their part a canvassing committee, consisting of Messrs. Burton, White, Hammond, Phelps of Windsor, Lawrence, Egerton, Miller, Kinsman, Ingalls, Smilie, Young, Allen, Heywood.

On motion of Mr. Kittredge, it was ordered that a member be appointed to inform the Governor, that the House of Representatives have organized, and are ready to proceed to business. Mr. Kittredge was appointed by the chair, to perform that service.

Mr. Brewster introduced the following resolution:

*Resolved*, the Senate concurring herein, that both houses meet in joint assembly, on Friday morning next, at ten o'clock, for the purpose of electing a secretary of state, for the year ensuing. Which was read and passed.

On motion of Mr Brewster, it was ordered, that when the House do adjourn, it adjourn to meet at three o'clock this afternoon.

The speaker then nominated, and the House appointed the following gentlemen, a committee to canvass the votes for Governor, Lieutenant Governor, and Treasurer:

Messrs. Baker, Bebee, Haywood, Townsley, Field of Wilmington, Burgess, Kittredge, Bucklin, Farnham, Hopkins, Hapgood, Fullam, Brewster, Needham, Rich of Shoreham, Colby, Winslow, Chandler, Bradley, Hewett of Charlotte, Brownell, Peck, Brown of Worcester, Dillingham, Fairbanks, Harvey, M'Millan, Keith, Dee, Boutell, Allen of Irsburgh, Richmond, Hardy, Vilas, Fisk, Sears of Morristown, Dewey, Howe of Lunenburg, Morrill, Allen of Grand Isle, Goodrich of Alburgh, Butler.

Who were sworn.

The House adjourned.

## AFTERNOON.

The House met pursuant to adjournment.

The speaker announced the following communication from the President of the Senate, which was read :

SENATE CHAMBER, }  
October 12th, 1837. }

SIR : I have the honor to inform the House of Representatives, that the Senate have elected Norman Williams secretary, and William Weston assistant secretary of the Senate, for the year ensuing.

I am, very respectfully,

Your obedient servant,

D. M. CAMP,

*President of the Senate.*

HON. S. Foor, Speaker of the  
House of Representatives.

Mr. Woodbury of Baltimore, introduced the following resolution :

*Resolved*, That the clerk of the House, be directed to cause to be printed, and distributed to the members of both houses, five hundred copies of a directory, similar to the one procured for the last session.

Which was read and passed.

A message from the Senate, by Mr. Williams, their secretary :

MR. SPEAKER : The Senate have passed a joint resolution, assigning Friday afternoon, the thirteenth inst. for county conventions, and Saturday the 14th, at ten o'clock, A. M., for a joint assembly, for electing county officers, and ask the concurrence of the House of Representatives.

The resolution is as follows :

*Resolved*, the House of Representatives concurring herein, that the members of both houses meet in county conventions, on Friday next, at three o'clock afternoon, for the purpose of making nominations for county officers, and that both Houses meet in joint assembly on Saturday next, at ten o'clock in the forenoon, for the purpose of electing such officers.

Which was read, and the House resolved to concur.

Mr. Woodbury of Baltimore, introduced the following resolution :

*Resolved*, That the clerk of the house, furnish each member of the house, with five newspapers weekly, printed in this village, to be selected by the member, and one daily journal, and cause the same to be delivered at their respective boarding houses, as soon as published.

Which was read and ordered to be laid on the table.

Mr. Woodbury of Baltimore, introduced the following resolution :

*Resolved*, the Senate concurring herein, that both houses meet in joint assembly, this afternoon at four o'clock, for the purpose of receiving the report of the canvassing committee.

Which was read and passed.

Mr. Kellogg introduced the following resolution :

*Resolved*, That it is the duty as well as privilege of this house, daily to seek the divine blessing in the discharge of its important trusts, and that the speaker be requested to invite the several officiating clergymen



of the village of Montpelier, to attend with us in rotation, during the session, for that purpose.

Which was read and passed.

A message from the Senate, by Mr. Williams, their secretary :

**MR. SPEAKER :** The Senate concur with the House of Representatives, in passing the resolution for a joint assembly, for receiving the report of the canvassing committee.

The Senate also concur with the House of Representatives, in passing a resolution for a joint assembly, for the purpose of electing a secretary of state, with a proposed amendment, by inserting after the words " secretary of state," *and Judges of the Supreme Court.*

The proposed amendment of the Senate to the above resolution was concurred in.

The following is the canvassing committee's

### REPORT :

*To the Honorable General Assembly now in Session :*

Your committee, appointed to receive, sort and count the votes for Governor, Lieut. Governor and Treasurer, having attended to the duties assigned them, respectfully report, that the whole number of votes given for Governor, was

Necessary for a choice	39,998
Of the above number of votes	20,000

Silas H. Jennison received	22,260
William C. Bradley "	17,730
Scattering	8

Your committee therefore report that the freemen have elected Silas H. Jenison, Governor, for the year ensuing.

Your committee further report that the whole number of votes given for Lieutenant Governor, was

Necessary to a choice	19,844
Of the above number of votes	

David M. Camp received	22,072
John S. Pettibone "	17,586
Scattering	28

Your committee therefore report that the freemen have elected David M. Camp, Lieutenant Governor, for the year ensuing.

Your committee further report, that the whole number of votes given for Treasurer, was

Necessary to a choice	39,000
Of the whole votes given, Augustine Clark received	19,501

Charles R. Cleaves "	18,453
Norman Williams "	17,476
George T. Hodges "	1,335
Luther Cross "	686
Henry F. Janes "	369
Scattering	347
	334

Your committee therefore report, that the freemen have not elected any person for Treasurer for the ensuing year.

All which is respectfully submitted,

P. WHITE, Chairman.

P. DILLINGHAM, Jr. Clerk.

October 12, 1837.

On motion of Mr. Kittredge, it was ordered that the House now proceed to elect a speaker, for the year ensuing:

Whereupon, the ballots being taken, sorted and counted, the

**HON. SOLOMON FOOT**

was duly elected, and sworn.

A message from the Senate, by Mr. Williams, their secretary:

**MR. SPEAKER:** The Senate have passed a joint resolution, directing the secretary of the Senate, and clerk of the House, to procure four hundred copies of a directory to be published, and ask the concurrence of the house.

On motion of Mr Brewster, it was ordered that the House now proceed to elect a clerk for the year ensuing.

Whereupon, the ballots being taken, sorted and counted,

**A. L. MINER**

was duly elected and sworn.

A message from the Senate, by Mr. Williams, their secretary:

**MR. SPEAKER:** The Senate have passed a joint resolution, assigning Friday next, at ten o'clock, for a joint assembly, for the purpose of electing a treasurer for the year ensuing, and ask the concurrence of the House of Representatives.

The resolution is as follows:

*Resolved*, the House of Representatives concurring herein, that both houses meet in joint assembly, on Friday the 13th instant, at ten o'clock in the forenoon, for the purpose of electing a treasurer of the state of Vermont for the year ensuing.

The resolution was read, and the House resolved to concur.

On motion of Mr. Brown of Worcester, it was ordered that the House now proceed to elect an assistant clerk for the year ensuing.

Whereupon the ballots being taken, sorted and counted,

**JOHN L. BUCK**

was duly elected and sworn.

Mr. Needham offered the following resolution:

*Resolved*, that the clerk of the House furnish each member thereof with two weekly and one daily newspaper, printed in this place, to be selected by the member, during the present session, to be paid for out of the contingent expenses of the House.

Mr. Kittredge moved that the resolution be laid on the table,

And on the vote being taken, it was determined in the negative.

Mr. Briggs proposed to amend the resolution, by erasing the word "two" before weekly, and inserting *one*, and by erasing the word "one" before daily, and inserting *three*,

And on the vote being taken, Shall the amendment be adopted? it was determined in the negative.

Mr. Dillingham proposed to amend the resolution by erasing the word "one" before daily, and inserting *two*,

And on the vote being taken it was determined in the affirmative.

Mr. Sleeper moved that the resolution be dismissed,

And on the vote being taken, it was determined in the negative.

Mr. Fairbanks moved that the House adjourn,  
And on the vote being taken, it was determined in the negative..

Mr. Hatch proposed to amend the resolution by erasing the words "two" before weekly and daily, and inserting *one* in each of their places.

On motion of Mr. Vilas, the resolution was ordered to be laid on the table.

On motion of Mr. Tracy, it was ordered that the House now proceed to elect an engrossing clerk, for the year ensuing.

Whereupon the ballots being taken, sorted and counted,

**FERRAND F. MERRILL**

was duly elected.

The House adjourned.

FRIDAY, OCT. 13, 1837.

The House met pursuant to adjournment.

The journal of yesterday was read.

Mr. James Church presented his credentials, and was sworn, as the member from the town of Kirby.

On motion of Mr. Fullam, the names of the members were called for the purpose of making a Directory.

The Speaker announced the following appointments :

*Committee on Rules*—Messrs. Tracy, Smith of St. Albans, and Kittridge.

OEL BILLINGS,	} Officers of the House..
LUMAN RUBLEE,	
WILLIAM T. BURNHAM,	

LUCAS M. MILLER, Messenger.

Mr. Ferrand F. Merrill was sworn as engrossing clerk.

The following joint resolution from the Senate was taken up :

*Resolved*, the House of Representatives concurring herein, that the secretary of the Senate and clerk of the House of Representatives procure to be published for the use of the members of both Houses, four hundred copies of a Directory, similar to the one published at the last session of the Legislature.

And the House resolved to concur.

Mr. Partridge introduced the following resolutions :

*Resolved*, that so much of the act entitled "an act granting twenty-three thousand acres of land to the trustees of Dartmouth college, and the president of Moore's charity school, for the use of said college and school, passed in the month of June 1785, at Norwich, as relates to said school, ought to be repealed.

*Resolved*, that the occupants of the aforesaid land ought to have the privilege of purchasing the same, at a fair price, and that the proceeds

thereof should constitute a fund to aid in the improvement and discipline of the militia of this state.

*Resolved*, that the committee on Education, are hereby instructed to report a bill or bills, in accordance with the foregoing resolutions.

Which were read and ordered to be laid on the table.

Mr. Hastings introduced the following resolution:

*Resolved*, that the members of this House, when in their seats, sit with their heads uncovered.

Which was read, and on motion of Mr. Field of Wilmington, was dismissed.

Mr. Tracy called up the resolution introduced by Mr. Woodbury, relative to furnishing the members with newspapers.

Mr. Webster proposed to amend the resolution, by erasing the word "five" before the word "weekly" and inserting *three*,

And on the vote being taken it was determined in the negative.

Mr. Kellogg proposed to amend, by erasing the words "five" before "weekly" and "one" before "daily" and inserting *two* in their places,

Which proposition was decided out of order by the chair, the same proposition having been acted upon by the house, on Mr. Needham's resolution.

On motion of Mr. Brewster, the resolution was amended by striking out the words, "five newspapers weekly, printed in this village, to be selected by the member, and."

On motion of Mr. Colby, the resolution was further amended, by adding after the words "daily journal," *to be selected by the member*.

And on the question, Shall the resolution as amended pass? the yeas and nays were demanded and were as follows:

Those who voted in the affirmative, are Messrs.

Adams of Grand Isle	Brewster	Everts
Adams of West Haven	Brigham	Fairbanks
Allen of Irasburgh	Brown of Eden	Farman
Allen of Westminster	Brown of Goshen	Farnham
Appleton	Bullock	Farrington of Brandon
Ashley	Burgess	Field of Benson
Averill	Carpenter of Ferrisburg	Field of Chester
Ayres	Church	Field of Jerico
Bacon	Cogswell	Fisk
Bailey	Colby	Fletcher
Baker	Cole	Foot
Baldwin	Colton	Fullam
Ballard	Corbin	Gillet
Barber	Cummings	Goodrich of Alburgh
Barr	Culver	Goodrich of Hardwick
Bachelor	Currier	Harvey
Becket	Dee	Harwood
Bebee	Dewey	Hastings
Bingham	Drake	Hatch
Blodgett	Duncan	Hayward
Bond	Eaton of Stockbridge	Hewett of Charlotte
Boutell	Edgerton	Hewett of Pomfret
Bradley	Ellsworth	Hewes

Hicks	Mason	Smith of Clarendon
Hinman	Martin	Smith of Fairfield
Hopkins	Morrill	Tilden
Hopkinson	Moulton	Town of Mansfield
Hovey	Nelson of Wheelock	Townsey
Howe of Lunenburg	Paige	Tracy
Howe of Vernon	Paul	Trull
Huntoon	Peabody	Vincent
Hutchinson	Peck	Walker
Jackman	Pope	Westover
Keith	Rich of Shoreham	Wheeler
Kellogg	Richmond	Wiley of Landgrove
Kidder	Robbins	Wood of Springfield
Kittredge	Rockwell	Wood of Westford
Lance	Safford	Woodbury of Bethel
Lawrence	Samson	Worden—121.
Leonard	Sears of Morristown	
Manning	Sears of Richford	

Those who voted in the negative, are Messrs.

Adams of Brookline	Doud	Parker of Bradford
Ames	Elliot	Parker of Underhill
Atkins	Emery	Partridge
Atwood	Farrington of Walden	Pennock
Belding	Field of Wilmington	Pond
Bloomer	Flagg	Potter
Bowman	Flint	Raymond
Briggs	French of Bloomfield	Rice
Brown of Worcester	Fuller	Rich of Maidstone
Brownell	Gibson	Richardson
Buck	Hapgood	Robinson
Bucklin	Hardy	Scott
Bushnell	Harmon	Seaver
Butler	Hartwell	Seymour
Byington	Hazletine	Sleeper
Cady	Hill	Smith of Monkton
Capron	Holden	Smith of St. Albans
Cardell	Houghton	Snyder
Carpenter of Moretown	Hulett	Stevens of Essex
Chandler	Ketchum	Stevens of Newbury
Chittenden	Lockwood	Town of Somerset
Clark	May	Town of Woodbury
Coe	McLaughlin	Tyler
Corliss	McMillan	Vilas
Cory	Miner	Wiley of Weston
Crowley	Moore of Fairlee	Wilson
Darling	Moore of Newport	Winchester
Davis	Needham	Winslow
Dawson	Nelson of Ryegate	Woodbury of Baltimore
Dillingham	Palmer	—89.

So it was determined in the affirmative.

The Speaker announced the following communication from his Excellency the Governor:

EXECUTIVE CHAMBER, }  
 Oct. 13, 1837. }

Hon. S. Foot, Speaker of House of Representatives :

SIR—I have the honor to inform the House of Representatives, that George B. Manser Esq., of Montpelier, is appointed Secretary of Civil and Military Affairs, and at two o'clock this afternoon, I propose to make to the House of Representatives my Executive communication."

I am sir very respectfully,

Your obedient servant,

S. H. JENISON.

House adjourned.

#### AFTERNOON.

The Speaker announced the appointment of the following gentlemen, as the committee of elections :

Messrs. Allen of Irasburgh, Needham, Cory, Holden, Field of Benson, Raymond, and Byington.

Mr. Richmond introduced the following resolution :

*Resolved*, the Senate concurring herein, that a committee of five be appointed to join from Senate, to designate rooms for the several county conventions and report to both Houses.

Which was read and passed.

Mr. Hazletine, on leave, introduced a bill, entitled "an act granting a set of rifles to Franklin artillery company,"

Which was referred to the committee on Military Affairs.

A message from the Senate, by Mr. Williams, their secretary :

MR. SPEAKER—The Senate concur with the House in passing a resolution to appoint a committee to designate rooms for holding county conventions, and have appointed on their part, Messrs. Phelps of Windsor, Swift and Bell.

A message from the Governor, by Mr. Manser, Secretary of Civil and Military Affairs :

MR. SPEAKER—I am directed to transmit to the House of Representatives, the annual message of his Excellency the Governor.

The clerk then read the following executive

#### MESSAGE.

*Fellow Citizens of the Senate*

*and House of Representatives :*

UNDER the peculiarly embarrassing circumstances which have been operating upon the currency and business of the country for a few months past, it may have been expected and by some has been deemed my duty to have convened the Legislature in special session. My attention has been directed to the subject with anxious solicitude, and could I have come to the conclusion, that any act of the legislature would have afforded relief to our citizens, from the evils

consequent upon the deranged state of the currency, equivalent to the trouble and expense of an extra session, I should have cheerfully assumed the responsibility of adopting that measure. But believing the unwise and unauthorized measures of the late executive of the General Government to have been the primary cause of producing the disastrous state of our monetary affairs, I could not flatter myself that any state legislation would cure the evil, or restore to us that safe, sound and convenient currency we had before enjoyed. To the General Government we must look for a remedy commensurate with the evil.

The citizens of our own state have suffered, as yet, perhaps less, than those of our sister states, still the business and credit of the country have received a shock, whose effects, if not averted by some measures of the General Government calculated to restore confidence in community, must result in consequences most destructive to the industry, enterprise and prosperity of our fellow-citizens. Our habits and commercial intercourse are such, that any attempt to transact the business of the country through the agency of the precious metals alone, would tend to unsettle and destroy the present relative value of property, and paralyze many of the great interests of the nation.

The several banks in this state, have, it is believed, rendered themselves liable to a forfeiture of their charters, by their suspension of specie payments. That measure, under the then existing circumstances was, perhaps, the only alternative which a prudent regard to the interests of community could dictate. It was approved by the wise and considerate of all parties.

The question of legalizing this act of the banks, is one of intense interest to our whole people, and I trust it will be met, discussed and disposed of with all the wisdom, prudence and moderation to which, from its importance, it is entitled. The motive of the legislature in chartering these institutions was the promotion of the public good, and if any legislation upon the subject should be deemed expedient at this time, the interests and safety of community should be kept steadily in view.

A rigid enforcement of the penalties provided in the "act regulating the chartering of banks," would, doubtless, increase the difficulties of an already suffering people. It would

destroy, for all general and beneficial purposes, a circulating medium, to which an uniform value is attached, and although this medium may be somewhat depreciated below the precious metals, still, it is one with which, by common consent, the indebtedness of individuals is discharged and the business of the country transacted.

Although the banks may have been led by the circumstances which preceded the suspension of specie payments throughout our country, to depart from what is considered by the undersigned, the proper and legitimate business of banks, and to make loans for purposes which ought always to be accomplished with real capital, and thereby lessened their ability to afford relief in time of pressure; yet, since the suspension, it is hoped they have been steadily engaged, so far as a due regard to the wants and exigencies of community would permit, in placing themselves in a situation to resume specie payments simultaneously with the banks in adjoining states. In this crisis great reliance has been placed upon the forbearance of our patriotic fellow-citizens, and it is a source of peculiar gratification to say, that thus far my expectations have been fully realized.

The past season has been marked as one not only of a peculiarly disastrous character, as it relates to the derangement of the currency, and the effects of that derangement upon all the great interests of the country, but it has presented the novel spectacle of a people whose pursuits are mainly agricultural, depending upon foreign nations not only for the products of manufacture, and the mechanic arts, but for bread. This state of things ought not to be. The lesson will be duly appreciated by a discerning people. It admonishes to economy in our public, and industry and frugality in our private affairs.

No community, *exclusively* of an agricultural character, can maintain that independence and high standing, which are essential to the enjoyment of happiness. A dependence upon foreign nations for the *necessaries* of life, is derogatory to a free and intelligent people; and withal has, in times of national difficulties, a demoralizing tendency, which, by the wise and provident legislator will be foreseen and guarded against. Considerations of this character fully justify the policy heretofore pursued by our national government in promoting and encouraging, while in its infancy, the mechanical and manufacturing skill of our country, and continue to



demand its fostering care. Efficient protection and encouragement, it is true, belong to the general government; still as freemen, as members of the great national family, it is our right, our duty, to express our convictions on the subject.

It will be recollected that a revision of our militia laws was earnestly urged upon the consideration of the last legislature. Another year's experience must have served to convince, if any thing were wanting, all whose attention has been drawn to the subject, of their utter inefficiency to secure the objects they were designed to accomplish. Although I am gratified in being able to say that there are some honorable exceptions; yet, upon the whole, it is believed, subordination and discipline have been upon the retrograde for several years past. Are not our militia laws wrong in principle? If those patriots and benefactors who laid the foundations for our free institutions were not mistaken when they said, "A well regulated militia is necessary to the security of a free state," no good reason can be urged why the burthens and expense of the system should not reach every individual, by whom the benefits of the system are enjoyed.

The exemption of the polls of those enrolled in the militia from a portion of the annual taxes, is scarcely an equivalent for keeping in their possession and in repair, the arms and equipments required by law; consequently all the time spent in obtaining that instruction and organization necessary to render the militia efficient, is an unjust tax levied upon those individuals who cannot, through favoritism or some other means, obtain a discharge from enrollment. The effect of this manifest injustice in the operation of our laws, has been greatly to increase the number of exempts, and to render those who could not obtain discharges, impatient and dissatisfied under the restraints and burthens to which they were subjected.

Another evil which is deemed subversive of discipline and good order among our militia, is the manner now provided by law for the enforcement of the rules and regulations governing the same, and the collection of fines for delinquencies. Should all questions of this nature be referred to a board composed of commissioned officers, detailed for that service from each regiment or brigade, to whom all delinquencies should be reported by the several commandants of companies, it would secure an uniformity in decisions, which is very desirable.

The law of the last session authorising the executive to procure the mounting of several pieces of ordnance, for distribution to newly organized companies of artillery, has not been complied with. It was ascertained that two companies, to whom cannon and apparatus were distributed under the law of 1827, had some time since been disbanded, and consequently, the pieces and apparatus were liable to go to decay, not being in the care or custody of any person feeling an interest in their preservation. Orders have been given to the companies recently raised in Stow and Morristown, to take possession of those pieces.

Information has been received from the officer in command at the United States Arsenal at Vergennes, that the arms belonging to this state, deposited there, are in a bad condition, beginning to corrode. That being the case, economy would dictate a small appropriation to enable the Quarter-Master-General to have them examined, cleaned, and put in a good state for preservation.

In compliance with a resolution of the Senate, passed at its last session, requesting me to procure an estimate of the probable expense of a geological and topographical survey of the State, I have addressed several scientific gentlemen upon the subject, the result of which correspondence will be laid before you at a proper time.

Accident and the unaided enterprise of individuals, have developed many sources of wealth, in the mineral treasures of our mountains.

From what has been already brought to light by these means, we are fully warranted in presuming, that, if the aids of science should be brought to bear upon the subject, under the patronage of the State, and a thorough examination were had, with a view to its practical utility, important discoveries would be made, highly beneficial to the State. A spirit of scientific research would take the place of pretended knowledge in the art of searching for valuable mineral substances; and our citizens saved from the fruitless expenditure of much time and money. Surveys of a similar character have been prosecuted in several of the neighboring states, and are believed to have produced the most satisfactory results.

This is an object intimately connected with the prosperity and best interests of this State, and it is recommended that measures be taken for its early accomplishment. If its con-

sequences should be such as are anticipated, it could not fail of affording profitable employment to many of our worthy citizens, who would otherwise leave the soil of their birth, to people the more fertile regions of the west.

The advantages of a Topographical survey of the State, may not, to a superficial observer, be very apparent, but still the time is not distant when the importance of the measure will be duly appreciated. The state of science calls for it, and its importance for practical purposes cannot be too highly valued. It would afford useful data in the location and survey of rail roads and canals, and if entered upon and prosecuted in the only manner in which a work of this kind should be done, would be productive of great public utility.

In accordance with "an act appropriating the sum therein mentioned for making certain surveys," I appointed, early in January last, John C. Holbrook, Esq. of Brattleboro', and Erastus Fairbanks, Esq. of St. Johnsbury, commissioners. Subsequently, the Hon. David M. Camp was appointed to supply the vacancy occasioned by the resignation of Mr. Fairbanks. The survey is understood to have been completed, and a report of the proceedings of the commissioners under the act will probably be transmitted for the information of the General Assembly during the present session.

Under the joint resolution requesting the executive to exchange copies of the reports of the judicial decisions of this for those of each of the other States, I have caused to be transmitted to the executive authorities of the several states a part of the volumes of the Vermont Reports, and solicited an exchange. The favor will doubtless be reciprocated whenever their legislatures shall be in session.

During the recess of the legislature, I have received communications from several of our sister states, which will be laid before you at an early day.

It became my duty, by an act of the last session of the General Assembly to appoint some suitable person, to superintend the completion of the State House. In compliance therewith, I appointed A. B. Young, Esq., who had been employed as architect from the commencement of the building, whose report, when received, will be communicated to the General Assembly. It may be thought necessary to retain Mr. Young the whole, or a part of the next season, to complete the building and its enclosures, and to carry out and perfect the original design. The building when thus completed, will prove a

source of lasting credit to the taste and skill of the architect, and be highly creditable to our state.

I would respectfully refer you to my annual message to the last legislature, for some suggestions which are deemed highly important to the prosperity and usefulness of our common schools; they are the medium through which we reach the minds, and form the morals of the rising generation. Vermont has been liberal in providing the pecuniary means for the advancement of the interests of education; and it is due to ourselves and to posterity, that a wise and efficient application of those means should be made.

Other subjects may be presented for your consideration, demanding legislative action.

Confiding in your wisdom and prudence, I can promise a cordial co-operation, in whatever may tend to promote the prosperity of our state, or add to the security and happiness of its citizens. Convinced, as I am, that in a government, depending upon the moral power of the people, the best claim to support, is insured by a faithful performance of duty, I take this occasion to express to my fellow-citizens, through you, the deep sense entertained, of the importance of the trust committed to me, and to tender to them my grateful and respectful acknowledgments, for their repeated kindness and partiality.

SILAS H. JENISON.

Montpelier, Oct. 13, 1837.

On motion of Mr. Tracy, five hundred copies of the Governor's message were ordered to be printed for the use of the House.

The unfinished business of last session was announced by the chair, and disposed of as follows:

The petition of Stephen Dewey and others, was referred to the committee on Banks.

The petition of Ziba Pope and others, was ordered to be laid on the table.

The petition against the establishment of a Monastic Institution in this State, and

The petition of William Bridges and others,—

Were severally referred to the General Committee.

The petition of Norman Hinsdill and others, and

The petition of the Winooski Turnpike Company,—

Were severally referred to the committee on Roads and Canals.

The petition of the town of Westfield,

The report of the Commissioners on the founding of the University of Vermont, and

The memorial of the President and Fellows of Middlebury College,—

Were severally referred to the committee on Education.

The following bills were severally referred to the committee on Roads and Canals:

"An act relating to the Passumpsic Turnpike Company," and

"An act to incorporate the Rutland and Middlebury Rail Road Company."

The following bills were severally referred to the General Committee:

"An act to repeal an act therein mentioned," and

"An act to prevent the establishment of Monastic and other superstitious communities within this State."

The bill entitled "an act regulating and governing the militia of this State"—

Was referred to the committee on Military Affairs.

The bill entitled "an act relative to the Grand List, was referred to a select committee of three.

The bill entitled "an act annexing part of the towns of Jamaica and Townsend to Acton," was dismissed.

The following bills were severally referred to the Judiciary Committee:

"An act in relation to the rights of witnesses," and

"An act relating to capital, and other high crimes and misdemeanors."

The bill entitled "An act directing the Treasurer to pay Daniel Stearns and Alvin H. Baker the sum therein mentioned,"

Was referred to the committee of Claims.

The following bills were severally referred to the committee on Banks:

"An act to incorporate the Washington County Bank."

"An act to incorporate the Bank of Castleton."

"An act to incorporate the Bennington County Bank," and

"An act to incorporate the Bank of Bradford."

The petition of William Washburn and others, was referred to the Land Tax Committee.

The bill entitled "an act to amend and reduce into one act, the several acts, relating to the corporation of the city of Vergennes," was ordered to be laid on the table.

The committee appointed to designate rooms for holding conventions, made the following

### REPORT:

Windham county	No, 8
Rutland "	" 7
Addison "	" 16
Windham "	" 6
Franklin "	" 14
Orange "	" 5
Bennington "	" 12
Chittenden "	" 11
Caledonia "	" 10
Washington "	" 15
Orleans "	" 13

Essex	"	West side of Reps. Hall.
Lamoille	"	East " " "
Grand Isle	"	Senate Chamber.

All which is respectfully submitted.

J. COLBY, for Committee.

The report was accepted by the House.

The House adjourned.

#### SATURDAY, OCT. 14.

House met pursuant to adjournment.

The journal of yesterday was read.

The Speaker announced the appointment of the following standing committees :

*Ways and Means.*—Messrs. Dewey, Adams of Grand Isle, Bradley of Burlington, Townsley, Hapgood.

*Of Claims.*—Messrs. Dillingham, Chittenden, Crowley, Briggs, Parker of Bradford.

*On Banks.*—Messrs. Fullam, Elliot, Tilden, Richmond, Stevens of Essex.

*Judiciary.*—Messrs. Tracy, Smith, of St. A., Kittridge, Peck, and Hopkins.

*On Military Affairs.*—Messrs. Patridge, Hazletine, Wood of Springfield, May, and Brigham.

*On Roads and Canals.*—Messrs. Fairbanks, Hewett of Pomfret, Rich of Shoreham, Keith, and Bucklin.

*Of Insolvency.*—Messrs. Needham, Field of Wilmington, French of Williston, Goodrich of Alburgh, and Allen of Westminster.

*On Agriculture.*—Messrs. Harvey, Smith of Clarendon, Adams of Westhaven, Bullock, and Bloomer.

*On Manufactures.*—Messrs. Seymour, Baker, Lawrence, Moulton, and McMillan.

*Land Tax Committee.*—Messrs. Vilas, Moore of Newport, Schoff, Webster, and Benis.

*General Committee.*—Messrs. Brown of Worcester, Bebee, Burgess, Farnham, Ashley, Clark of Addison, Stevens of Newbury, Hewett of Charlotte, Buck, Dee, Harman, Fisk, Howe of Lunenburg, and Butler.

*On Education.*—Messrs. Brewster, Colby, Paul, Cory, and Ames.

*On the Grand List.*—Messrs. Hatch, Winslow, Barber of Pownal, Hayward, Worden, Winchester, Kellogg, Farrington of Brandon, Atwood, Wiley of Weston, Capron, Doud, Field of Jericho, Fletcher, Scott, Cardell, Nelson of Ryegate, Martin, Foster, Smith of Fairfield, Hastings, Paige, Fisk, Safford, Appleton, Hill, Dawson, and Corliss.

*Distributing Committee.*—Messrs. Hewes, Duncan, Colton, Woodbury of Baltimore, Walker, Bacon, Snyder, Averill, Trull, Fuller, Warner, Pennock, French of Bloomfield, and Dawson.

*On the bill relative to the Grand List.*—Messrs. Field of Wilmington, Fullam, and Allen of Iraaburgh.

Mr. Partridge moved that the use of the Representatives' Hall be given to the Universalist denomination upon the Sabbath, for religious worship, during the session.

And on the question being put the yeas and nays were demanded, and were as follows:

Those who voted in the affirmative are Messrs.

Baldwin	Flagg	Stevens of Newbury
Bond	Gibson	Town of Somerset
Carpenter of Moretown	Hicks	Vincent
Church	Miner	Walker
Currier	Partridge	Winslow—17.
Field of Wilmington	Raymond	

Those who voted in the negative are Messrs.

Adams of Brookline	Cady	Field of Jerico
Adams of Grand Isle	Capron	Fisk
Adams of West Haven	Cardell	Fletcher
Allen of Irasburgh	Carpenter of Ferrisburg	Flint
Allen of Westminster	Chandler	Foot
Ames	Chittenden	Foster
Appleton	Clark	French of Bloomfield
Ashley	Coe	Fullam
Atkins	Cogswell	Fuller
Averill	Colby	Gillet
Ayres	Colton	Goodrich of Alburgh
Bailey	Corbin	Goodrich of Hardwick
Baker	Corliss	Hapgood
Ballard	Cory	Hardy
Barber	Crowley	Harmon
Barr	Cummings	Hartwell
Bachelor	Culver	Harvey
Becket	Darling	Harwood
Bebee	Davis	Hastings
Bingham	Dawson	Hatch
Blodgett	Dee	Hayward
Bloomer	Dewey	Hazletine
Boutell	Dillingham	Hewett of Charlotte
Bowman	Doud	Hewett of Pomfret
Bradley	Drake	Hewes
Brewster	Duncan	Hill
Briggs	Eaton of Granville	Hinman
Brigham	Eaton of Stockbridge	Halden
Brown of Eden	Edgerton	Hopkins
Brown of Goshen	Elliot	Hopkinson
Brown of Worcester	Ellsworth	Houghton
Brownell	Everts	Hovey
Buck	Fairbanks	Howe of Lunenburg
Bucklin	Farman	Howe of Vernon
Bullock	Farnham	Huntoon
Burgess	Farrington of Brandon	Hutchinson
Bushnell	Farrington of Walden	Jackman
Butler	Field of Benson	Keith
Byington	Field of Chester	Kellogg

Ketchum	Peck	Smith of St. Albans
Kidder	Pennock	Snyder
Kinsley	Pierce	Stevens of Essex
Kittredge	Pineo	Tilden
Lance	Pond	Town of Mansfield
Lawrence	Pope	Town of Woodbury
Leonard	Potter	Townsend
Lockwood	Rice	Tracy
Manning	Rich of Maidstone	Trull
Mason	Rich of Shoreham	Tyler
Martin	Richardson	Vilas
May	Richmond	Warner
McLaughlin	Robbins	Webster
McMillan	Rockwell	Westover
Moore of Fairlee	Safford	Wheelock
Moore of Newport	Samson	Wheeler
Morrill	Scotfield	Wiley of Landgrove
Moulton	Schoff	Wiley of Weston
Needham	Scott	Wilson
Nelson of Ryegate	Sears of Morristown	Winchester
Nelson of Wheelock	Sears of Richford	Wood of Springfield
Paige	Seaver	Wood of Westford
Palmer	Seymour	Woodbury of Baltimore
Parker of Bradford	Sleeper	Woodbury of Bethel
Parker of Underhill	Smith of Clarendon	Worden—195.
Paul	Smith of Fairfield	
Peabody	Smith of Monkton	

So it was determined in the negative.

Mr. Hazletine, on leave, introduced a bill, entitled "an act for the benefit of first artillery company, 3d regiment, 3d brigade, and 3d division of the militia of this state,"

Which was referred to the committee on Military Affairs.

The House adjourned.

#### AFTERNOON.

Mr. Partridge, on leave, introduced a bill entitled "an act in addition to an act for the support of common schools,"

Which was read once and referred to the committee on Education.

Mr. Needham, on leave, introduced a bill entitled "an act relating to the issuing of executions."

Which was referred to the Judiciary Committee.

Mr. Woodbury of Baltimore, introduced the following resolutions:

*Resolved*, That so much of the Governor's message as relates to agriculture, be referred to the committee on Agriculture."

*Resolved*, That so much of the Governor's message as relates to banks, be referred to the committee on Banks:

*Resolved*, That so much of the Governor's message as relates to the militia, be referred to the committee on Military Affairs.



*Resolved*, That so much of the Governor's message as relates to Manufactures, be referred to the committee on Manufactures.

*Resolved*, That so much of the Governor's message as relates to a geographical and topographical survey of the State, be referred to a select committee of five.

Which were severally read and passed.

Mr. Partridge, on leave, introduced a bill entitled "an act in addition to an act incorporating the Norwich University,"

Which was referred to the committee on Education.

Mr. Colby, on leave, introduced a bill entitled "an act to incorporate the Orange County Farmer's and Mechanic's mercantile association, at Chelsea,"

Which was referred to the committee on Manufactures.

Mr. Field of Wilmington introduced a bill entitled "an act relating to assignments,"

Which was read once, and referred to the Judiciary committee:

Mr. Hopkins introduced the following resolution:

*Resolved*, That the committee on Agriculture be requested to enquire into the expediency of offering a bounty on the growing of wheat within this state, and report by bill or otherwise.

Which was read and passed.

Mr. Fairbanks introduced the following resolution:

*Resolved*, That a committee of three members be appointed, whose duty shall be to direct in relation to the proper ventilating and temperature of the Representatives' Hall.

Mr. Needham moved to dismiss the resolution, and on the vote being taken, it was determined in the negative.

The resolution, on motion of Mr. Wood of Springfield; was ordered to be laid on the table.

The petition of Chauncey Adams and others, praying for a repeal of the charter of the Green Mountain Turnpike Company, and

The petition of the Centre Turnpike Company—

Were severally referred to the committee on Roads and Canals.

The memorial of the 6th Company of Infantry, 1st Regiment, 2d Brigade, and 2d Division of Vermont Militia,

The memorial of 9th company, same Brigade, Regiment and Division,

The memorial of 4th company, same Regiment, Brigade and Division,

The memorial of the 1st company, 3d Regiment, 2d Brigade and 2d Division,

The memorial of the 2d Brigade, 2d Division of Vermont Militia, and

The memorial of the Field officers of the 3d Brigade and 3d Division,—

Were severally referred to the committee on Military Affairs.

The memorial of the gentlemen of Rutland, praying for the abolition of the license laws,

Was, on motion of Mr. Kittredge; referred to a select committee of one member from each county.

The memorial of 123 ladies of East Rutland,

The memorial of sundry inhabitants of Tupper,

The memorial of the ladies of Grafton,  
The memorial of the inhabitants of Peacham, and  
The memorial of Mansfield Bruce and others,—  
Were severally referred to the select committee on the memorial of the gentlemen of Rutland.

The memorial of sundry inhabitants of Putney, against the admission of new states into the Union, whose constitution tolerates slavery—

Was, on motion of Mr. Brown of Worcester, referred to a select committee of five.

The memorial of sundry inhabitants of Putney, against the annexation of Texas to the Union,

The petition of Mansfield Bruce and others upon the subject of slavery, and

Three memorials of sundry inhabitants of Shaftsbury—

Were severally referred to the select committee on the Putney memorial.

The petition of the inhabitants of Shaftsbury, praying for the enactment of laws to secure the right of trial by jury in all cases where the liberty of individuals is questioned,

Was referred to the Judiciary committee.

The petition of the inhabitants of Braintree,

The petition of the inhabitants of Brunswick, and

The petition of the inhabitants of Bradleyvale—

Were severally referred to the Land Tax committee.

The petition of Nathan Dantworth, and

The petition of Henry H. Robinson—

Were severally referred to the committee on Claims.

The House Adjourned.

MONDAY, OCTOBER 16, 1837.

House met pursuant to adjournment.

The journal of Saturday was read.

The Speaker announced the following select committees :

On so much of the Governor's message as relates to a geological and topographical survey of the state,

Messrs. Elliot, Allen of Irasburgh, Dillingham, Cory and Webster.

On the memorial of the gentlemen of Rutland, praying for the prohibition of the sale of ardent spirits,

Messrs. Kittredge, Fairbanks, Howe of Veriton, Batchelder, Drake, Eaton of Stockbridge, Bacon, Ayres, Richardson, Wheeler, Huntoon, Fisk, Hill and Butler.

On the petition of sundry inhabitants of Putney, praying the legislature to protest against the admission of Texas into the Union,

Messrs. Brown of Worcester, Pierce, Rockwell, Pond and Blodget.

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Mr. Hatch introduced the following resolution :

*Resolved*, the Senate concurring herein, that both Houses meet in joint assembly this afternoon, at three o'clock, in the Representatives' Hall, for the purpose of appointing a committee, consisting of one member from each county, to equalize the general list of the several counties in this state.

Which was read and passed.

Mr. Hazeltine, on leave, introduced a bill entitled "an act in addition to the distribution act," which was read once and referred to the Judiciary Committee.

On motion, Mr. Vilas was excused from serving on the Land Tax committee.

Mr. Harris Smith presented his credentials as the member from Sheffield, was sworn, and took his seat as a member.

Mr. Partridge, on leave, introduced a bill entitled "an act in relation to Banks," which was read once.

Mr. Partridge moved that it be referred to a select committee, to consist of five members, who were neither stockholders in, or under any liabilities to any of the banks of this state, or have been for two years past.

Mr. Partridge withdrew the latter part of the motion, and moved that it be referred to a select committee of five.

And on the question shall the bill be so referred, the yeas and nays were demanded, and were as follows :

Those who voted in the affirmative are, Messrs.

Ames	Fisk	Manning
Atkins	Flagg	May
Bacon	Foster	McLaughlin
Bailey	Fuller	McMillan
Baldwin	Gibson	Miner
Barber	Gillett	Moore of Fairlee
Barr	Goodrich of Alburgh	Morrill
Belding	Goodrich of Hardwick	Needham
Bemis	Hapgood	Nelson of Ryegate
Bingham	Hardy	Nelson of Wheelock
Boutell	Hartwell	Palmer
Bucklin	Hatch	Parker of Bradford
Butler	Hayward	Partridge
Cady	Hazeltine	Peabody
Church	Hewes	Peck
Coggswell	Hicks	Pennock
Corbin	Hill	Pineo
Corliss	Hinman	Pope
Culver	Holden	Potter
Currier	Hopkinson	Rich of Maidstone
Davis	Houghton	Robbins
Dawson	Hovey	Robinson
Dee	Howe of Lunenburg	Safford
Edgerton	Hulett	Samson
Everts	Hutchinson	Scofield
Field of Chester	Ketchum	Scott
Field of Wilmington	Lance	Sears of Merristown

Seaver	Town of Somerset	Warner
Sleeper	Town of Woodbury	Webster
Smith of Monkton	Trull	Wheeler
Snyder	Tyler	Wiley of Weston
Stevens of Essex	Vilas	Wilson
Stevens of Newbury	Vincent	Winslow—101.
Town of Mansfield	Walker	

Those who voted in the negative, are Messrs.

Adams of Brookline	Cummings	Leonard
Adams of Grand Isle	Darling	Lockwood
Adams of Westhaven	Dewey	Mason
Allen of Irasburgh	Dillingham	Martin
Allen of Westminster	Doud	Moore of Newport
Ashley	Drake	Moulton
Atwood	Duncan	Paige
Ayres	Eaton of Stockbridge	Parker of Underhill
Baker	Elliot	Paul
Ballard	Ellsworth	Pierce
Bachelor	Emery	Pond
Beebe	Fairbanks	Raymond
Blodgett	Farman	Rice
Bloomer	Farrington of Brandon	Rich of Shoreham
Bond	Field of Benson	Rockwell
Bowman	Field of Jerico	Schoff
Bradley	Fletcher	Sears of Richford
Brewster	Foot	Seymour
Briggs	French of Bloomfield	Smith of Clarendon
Brigham	French of Williston	Smith of Fairfield
Brown of Eden	Harmon	Smith of Sheffield
Brown of Goshen	Harvey	Smith of St. Albans
Buck	Harwood	St. John
Bullock	Hastings	Townsley
Burgess	Hewett of Charlotte	Tracy
Businell	Hewett of Pomfret	Westover
Byington	Hopkins	Wheelock
Capron	Howe of Vernon	Wiley of Landgrove
Carpenter of Ferrisburg	Huntoon	Winchester
Chittenden	Jackman	Wood of Springfield
Clark	Keith	Wood of Westford
Cogswell	Kellogg	Woodbury of Baltimore
Colby	Kidder	Woodbury of Bethel
Cole	Kinsley	Worden—106.
Colton	Kittredge	
Crowley	Lawrence	

So it was determined in the negative.

The bill was then referred to the committee on banks.

Mr. Kittredge, on leave, introduced a bill, entitled "an act to pay Moses King the sum therein mentioned,"

Which was read once, and referred to the committee on Claims.

Mr. Field of Wilmington introduced a bill entitled "an act relating to liabilities of incorporations,"

Which was read once, and referred to the committee of Insolvency.

Mr. Vilas, on leave, introduced a bill entitled "an act in addition to an act for the distribution of laws and journals."

Which was read once, and referred to the committee of Ways and Means.

Mr. Fairbanks introduced the following resolution:

*Resolved*, That a committee of five be appointed to join such committee as the Senate may appoint, for the purpose of designating rooms for the several standing committees.

Which was read and passed.

Mr. Tracy introduced the following resolution:

*Resolved*, the Senate concurring herein, that both Houses meet in joint assembly on Wednesday, the 18th instant, at three o'clock, P. M. for the purpose of electing a superintendant of the Vermont state prison, surveyor-general, auditor of accounts against the state, three commissioners of the deal and lumber, and agent to settle the concerns of the Vermont state bank.

Which was read and passed.

Mr. Seymour called up the bill entitled "an act to reduce into one the several acts, relative to the corporation of the city of Vergennes,"

And the bill was referred to the Judiciary committee.

Mr. Scofield, on leave, introduced a bill, entitled "an act to revive a tax on Elmire," which was read once and referred to the Land Tax committee.

Mr. Brown of Eden introduced the following resolution:

*Resolved*, That the committee on Military Affairs be instructed to inquire into the expediency of granting a piece of ordnance to the first artillery company in the 6th regiment, 2d brigade and 4th division of the militia of Vermont, and report by bill or otherwise.

Which was read and passed.

Mr. Kittredge introduced the following resolution:

*Resolved*, That the Judiciary committee be instructed to inquire into the expediency of providing by law for the appointment of a deputy clerk of supreme and county courts within the several counties in this state, and report by bill or otherwise.

Which was read and passed.

Mr. Fullam introduced the following resolution:

*Resolved*, the Senate concurring herein, That the Secretary of State, be directed to deliver to the representatives of such towns as have not received their proportion of the second volume of the laws of this state, their proportion of such laws.

Which was read and passed.

The committee on rules, made the following

**REPORT:****Rules of the House of Representatives  
FOR THE PRESENT SESSION.***Of the formation and Daily Meeting of the House.*

1. The credentials of the members shall be presented to the Clerk, or in his absence, the Assistant Clerk of the House for the preceding year, either in the morning of the day of election, or on the day preceding; who shall make out a list, by counties, of such members as shall have presented their credentials; and shall take his seat in the House, at 9 o'clock, in the morning of the day of election, and having called to order, shall proceed to call the members, and when a quorum shall have taken their seats, they shall (having first taken the necessary oath) proceed to the choice of a Speaker and Clerk *pro tempore*, and on the nomination of the Speaker, shall appoint a committee, consisting of three members from each county, to join such committee as the Senate may appoint, to receive, sort, and count the votes for Governor, Lieut. Governor and Treasurer.

2. The House shall meet every day (Sunday's excepted) at nine o'clock in the morning, and at two o'clock, in the afternoon, unless otherwise specially ordered

*Of Committees.*

1. At the commencement of each session the following committees shall be appointed, viz:

A Committee of three members to report Rules of the House.

A Committee consisting of seven members who shall take into consideration all matters relating to the election of the members, to be denominated the committee of *Elections*.

A Committee consisting of five members, who shall take into consideration all matters affecting the revenues of the State—shall from time to time, inquire into the state of the Treasury; ascertain the amount of debts due to the State, and the claims against it; report the amount of taxes necessary to be raised for the support of Government, and inquire whether any, and if any, what measures ought to be adopted the better to equalize the public burdens, secure the accountability of public agents, and otherwise improve the financial concerns of the State, to be denominated the Committee of *Ways and Means*.

A Committee consisting of five members, who shall take into consideration all matters relating to the Militia, to be denominated the Committee on *Military Affairs*.

A Committee consisting of five members, who shall take into consideration all matters relating to the Judiciary, to be denominated the *Judiciary Committee*.

A Committee consisting of five members, who shall take into consideration all claims against the State; to be denominated the Committee of *Claims*.

A Committee consisting of five members, who shall take into consideration all matters relating to Roads and Canals; to be denominated the Committee on *Roads and Canals*.

A Committee consisting of five members, who shall take into consideration all matters relating to Banks; to be denominated the Committee on *Banks*.

A committee consisting of five members, who shall take into consideration all matters relating to acts of Suspension or Insolvency; to be denominated the Committee of *Insolvency*.

A Committee consisting of five members, who shall take into consideration all matters relating to Domestic Manufactures; to be denominated the Committee on *Manufactures*.

A Committee consisting of five members, who shall take into consideration all matters relating to Agriculture; to be denominated the Committee of *Agriculture*.

A Committee consisting of five members who shall take into consideration all matters relating to Land Taxes; to be denominated the *Land Tax Committee*.

A Committee of two members from each county, to make up the Grand List.

A Committee of one member from each county, to take into consideration all subjects referred to a member of each county; to be denominated the *General Committee*.

A Committee of five members, to take into consideration all literary and scientific subjects; to be denominated the Committee on *Education*.

A Committee of one member from each county, whose duty it shall be to receive and distribute all public documents and papers, printed for the use of the members; to be denominated the *Distributing Committee*.

2. No Committee shall sit during the session of the House, without leave from the House.

3. All Committees shall have a right to report by bill.

4. All Committees, except the one, the appointment of which is provided for in the first article of the rules, shall be made by the Speaker, but any appointment made by him, may, on motion of a member, be overruled by the House, in which case, the House shall, on the nomination of a member, immediately fill the vacancy.

5. Any member may excuse himself from serving on any Committee, if, at the time of his appointment, he shall be a member of three other Committees.

6. When the House shall have ordered the appointment of a Committee, the Speaker shall be entitled to one recess of the House, in which to make the appointment.

#### *Of the Rights and Duties of the Speaker and other Members.*

1. The Speaker shall take the Chair, at the hour to which the House stands adjourned, and when a quorum shall have assembled, he shall call to order and proceed to business; causing the journals of the preceding day to be read at the opening of the House on each day, unless

otherwise ordered by the House.—He shall preserve order, and may speak on all questions of order in preference to any other member, rising from his seat for that purpose, and shall decide on all questions of order, subject to an appeal to the House.

2. In case of any disturbance or disorderly conduct in the gallery or lobby, the Speaker may cause the same to be cleared.

3. If any member in speaking, or otherwise, transgress the rules of the House, the Speaker shall; or any other member may, call to order, in which case the member so called to order, shall immediately sit down unless permitted to explain, and the House shall, if appealed to, decide the same without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise and the case require, he shall be liable to the censure of the House.

4. No member shall speak more than twice to the same question without permission from the House, nor shall he speak a second time while the floor is claimed by a member who has not spoken to the question under consideration.

5. No member shall absent himself from the service of the House, unless he has leave of absence, is sick, or unable to attend.

6. The yeas and nays shall be ordered to any question on motion of a member; and when taken, and also on a division of the House, every member present shall vote, unless excused by the House; but no member shall be compelled to vote who was not present when the question was stated from the chair, nor shall any one, in taking the yeas and nays, be permitted to vote who was not present when his name was called.

7. No member in the minority, or who did not vote on any question, shall have a right to move for reconsideration thereof, nor shall a motion for reconsideration be in order, unless made within forty-eight hours after the passing of such vote.

8. Every member, on presenting a resolution, shall state, shortly, the object of it, and shall be held responsible for the decency of expressions used therein.

9. Every motion shall be reduced to writing by the mover, if required by the Speaker, or any other member.

10. The Speaker shall have a right to call upon any member to discharge the duties of the chair, whenever from indisposition or other cause, he shall find it necessary temporarily to retire from it, and when the House shall have resolved to go into committee of the whole, the Chairman shall be named by the Speaker.

11. All petitions shall be referred to a Committee without reading, unless the reading be demanded by a member.

12. The House having decided on any question, it shall not again be brought before the House, in any form whatever, during the same session.

13. The Speaker shall at the commencement of every session, appoint a Door-Keeper, and such number of officers to attend upon the House, as he may think necessary.

14. No motion to amend the rules of the House shall be acted upon until it shall have been before the House, at least twenty-four hours.



*Of the admission upon the Floor of the House of such as are no Members.*

1. Any person who has held the office of Governor or Lt. Governor; the Judges of the Supreme Court; the District Judge, Attorney and Marshall of the United States; Speaker of the House of Representatives; Members of Congress, and such as have previously held those offices; Treasurer of the State, Members of the Senate, Clergy, and such others as may be introduced by a member, shall be admitted to seats on the floor of the House.

2. Counsel may be admitted to advocate any cause, if permitted by three-fourths of the members present.

### *Of Bills.*

1. No bills shall be introduced, except reported by a committee of with leave of the House.

2. No bill shall pass the House until it shall have been read three several times, the last of which, shall be at least twenty-four hours after the first reading, and the second and third reading of all the bills of a public nature, shall be ordered for some particular day.

3. Every bill shall be engrossed before it is read a third time, and at the third reading, it shall not be amended in the house, unless by unanimous consent; but it may be committed for amendment.

4. All private bills shall be read a second time by their titles only, unless the reading shall be called for by a member.

### *Of Motions.*

1. A motion to adjourn shall be always in order, and shall be determined without debate.

2. Motions on bills and resolutions shall be sustained in the following order: 1st. To dismiss.—2d. To postpone to a day certain.—3d. To lie on the table.—4th. To commit.—5th. To amend.

The report was read, and accepted by the House.

The committee appointed at the last Legislature, by the "act to locate the Franklin County buildings," made the following

## **REPORT:**

*To the Legislature of the State of Vermont, now in Session:*

The undersigned, appointed by your honorable body, by a law passed Nov. 17, 1836, a committee to visit the county of Franklin, and make examination, for the purpose of ascertaining the proper place for the permanent shire of said county, and report at the present session of the Legislature, beg leave respectfully to report:

That having caused notice thereof to be published in the respective papers in Franklin county, they assembled at St. Albans agreeably to said notice, on the 22d day of August last. Your committee met at St. Albans, committees from the several towns in the county which took an interest in the subject; and in accordance with their wishes, proceeded

to make a personal examination of the several parts of the county, going, for that purpose, into every town, with the exception of Fletcher, and traversing most of the principal roads.

The committee found that those who were desirous of removing the county buildings, were nearly unanimous in favor of the village of Sheldon, as the place of location. Subsequent examinations, having satisfied the committee that if the shire is to be changed, and removed nearer the centre of the county, the public buildings should be established at Sheldon, the question is to be decided by considering which of the two places, St. Albans or Sheldon, will best accommodate the county.

That the Legislature may the better understand the grounds on which the conclusions of the committee rest; they submit a brief statement of the character of the soil and face of the country, composing the county.

The county of Franklin may be regarded as an inclined plane; the western border declining by a gentle slope to the waters of Lake Champlain, and the eastern extremity, rising into the Green Mountains. The towns of Georgia, St. Albans, Swanton and Highgate, lying on the borders of the lake, are sufficiently level for all the purposes of husbandry. The soil is generally of an excellent quality, suitable for tillage, and capable of producing in perfection and abundance, all the varieties of grain, fruit, and esculent vegetables cultivated in other parts of the state. Proceeding eastwardly, through the second and third tier of towns, including Franklin, Sheldon, Fairfield, Fairfax, Berkshire, Enosburgh, Bakersfield, and Fletcher; much of the soil, is found to be of a good quality; but there is a portion of it that is broken and rocky; and but little, appears to be as favorable to the culture of wheat and Indian corn as the lands in the towns bordering the lake. A few farms, may undoubtedly be selected, in almost any of the last named towns, with a favorable exposure; or on the margin of the most considerable streams, nearly, or quite equal in natural fertility, to the best lands, in the first named towns. But as a whole, for agricultural purposes, the committee regard it as decidedly inferior. Without making any invidious comparisons between the different towns, the committee regard the second tier of towns, as superior to the third, for the same reasons, that they consider the first better than the second. Some parts of the more eastern towns are unfit for cultivation; and the remainder, are manifestly too cold, for the successful culture of some of the most important agricultural products.

The Lamoille river in its way to the lake, passing through the southern tier of towns in the county, and the Missisquoi river, through the northern; an elevated ridge of land lies between the two streams, though it does not become mountainous, until it approaches the eastern extremity of the county.

The committee consider that the village of Sheldon, is sufficiently near the geographical centre of the county, for all practical purposes; and if they had regarded that alone, they would have decided unhesitatingly, in favor of that place. But conceiving that the geographical centre, was of less importance, than population, wealth, and business; the committee endeavored to obtain satisfactory information, upon those points. The committee do not refer to wealth, as entitled to any weight, in the consideration of the subject, any further than it may be supposed to furnish an indication of business.

E

With a view of presenting the subject, in the clearest point of light; the committee endeavored to ascertain, what towns would be best accommodated at St. Albans, and what towns, would naturally prefer Sheldon; and contrast their population, wealth and business.

The friends of St. Albans, furnished a statement, verified by affidavit, marked A, and herewith transmitted, (see appendix) of the distances from that place, to the business centre, of each town in the county. The paper marked B, (see appendix,) contains the estimates, made by the friends of Sheldon, of the distances of the several towns from that place. Both estimates, it is understood, were made, according to the most usual routes of travel. The discrepancy between the two, with a single exception, is not very great; and the committee had no means of arriving at perfect accuracy. The principal disagreement, is in relation to the distance from Sheldon to Fletcher. In the paper marked A, the distance is stated to be 15 miles, while in the paper marked B, it is put at 11 1-2 miles. Sheldon lying on the Missisquoi river, and Fletcher on the Lamoile, a very high ridge of land intervenes. It appears that there is a road across this high land, by which the distance would not be more than 11 or 12 miles. But the committee believe that from the steepness, length, and difficulty of the hill, the principal part of the travel, instead of taking this road, goes by the way of Fairfax mills, making the distance 15 miles, as stated in the estimate A.

It appeared from the documents referred to, and other evidence, that the following towns, were nearer St. Albans than Sheldon, viz. Highgate, Swanton, St. Albans, Georgia, Fairfax and Fletcher, estimating the distance as before stated by the usual travelled road. Fairfield and Bakersfield, are about equally distant from the two places. As the business transactions, of the two last named towns, must constantly lead them through the village of St. Albans, on their way to the lake shore; and as like causes, would seldom bring them to Sheldon; the committee consider, that they are much better accommodated at St. Albans, than they would be at Sheldon.

By the census of 1830, the whole population of the towns, now comprising the county of Franklin, was 20,955. Of this number, 14,367, lived in the above named eight towns; and the remaining 6,588, lived in the six towns, which would be best accommodated at Sheldon; showing a balance of population, in favor of St. Albans, of 7,779.

The grand list in the first named eight towns in 1836, (see statement marked C,) was \$87,715; and in the remaining six towns \$32,583; showing a balance in favor of the first eight towns of \$55,132.

The amount of postage paid in the eight towns, though not ascertained with perfect accuracy, appears to be about three times the amount, paid in the six towns.

With a view to determine, where the business of the courts principally originated, a table was constructed, marked D, (see appendix) and certified by the clerk of the county and supreme courts; showing the residence of parties, in all the suits, pending in Franklin county, at the April term 1830, April term 1833, and April term 1836; and also, all the causes, pending in the supreme court, and court of chancery, at the January term 1830, Jan. 1833, and January term 1836; and the committee saw no reason to doubt, but that it presented a fair average, of the business of the county, in those courts. From this it appears,

that the number of parties residing in the first named eight towns, at the terms of the courts above named, was 2,023, and the number best accommodated at Sheldon, during the same period, was 370. From the same table it appears, that the amount of travel of parties, at the same terms of the court, to attend to their causes at Sheldon would be 5,352 miles, while the amount of travel for the same parties, to attend the same causes at St. Albans, would be 2,885.

A paper was offered as evidence, marked G, (see appendix) containing a statement, signed by the clerk of Grand Isle county, of all the causes on the dockets of the supreme court, and court of chancery in that county, from 1834, to 1837; by which it appears, that the average number of causes, was a fraction over twelve.

The committee understood, that this evidence was offered, on the supposition that the supreme court business of Grand Isle county, might hereafter be done at St. Albans. The committee did not feel authorized, to attach the least importance to this evidence; although it may be a subject worthy of the consideration of the legislature.

It was represented to the committee, that great improvements could be made in the roads, leading from the several towns in the county, to Sheldon; while on the other hand, it was insisted, that equal improvements could be made, in the roads leading to St. Albans. Without attempting to decide this question, the committee consider, that roads, from many of the towns in the county, leading direct to Sheldon, on the shortest and best routes, must be constructed at a considerable expense, and that such roads, would not very soon be made, unless for the purpose of communicating with that place, as the shire town; while the roads leading from most of the towns to St. Albans, are the ordinary channels of communication, to and from a foreign market. Market roads, being of primary importance, will always engross a large share of the attention of the community; and they will generally be found, in better repair, than roads designed merely to communicate with the county seats.

Nearly all the foreign business of the county, appears to be done, through lake Champlain; and as St. Albans bay, situated three miles west of the village, affords a safe and convenient harbor, it engrosses a large proportion of this trade; which necessarily passes through the village of St. Albans.

There is at St. Albans, a convenient brick court house, and a jail, built of stone and brick, with a comfortable apartment for the keeper. The jail, appears to have been built, at very considerable expense; and though somewhat out of repair, it is a valuable building, and at a small cost, might be made safe and convenient, for the confinement of prisoners.

It appeared, that the public buildings, which were established at St. Albans in the summer of 1793, by the judges of the supreme court, have repeatedly been destroyed by fire; and that a large sum estimated in document marked E, (see appendix) at \$23,000, had been raised and expended, by the inhabitants of St. Albans, for their re-building and support. The first court house and jail were built without any aid from the county.

The village of St. Albans, is situated on the stage road, leading from Burlington, to Missisquoi bay, and Montreal; and contains a population

of 910 inhabitants. It has the appearance of a flourishing village; and the public, and private buildings, are creditable to the spirit and enterprise of its inhabitants. The table marked F, (see appendix) contains an enumeration of all the public and private buildings, made by some of the business men of the village, in which the present value of the buildings, is estimated at \$144,150. The committee had not the means of testing, to much extent, the correctness of this valuation; but the character of the individuals, making the estimates, forbids the idea of intentional error.

It was contended by the friends of Sheldon, that since the census of 1830, the eastern towns have increased in population more than the western. Opinions on this subject were found to be so conflicting, that it was impossible from this source, to come to any satisfactory conclusion. The only other means of information possessed by the committee, was their personal observation of improvements, in different parts of the county, indicating an increase of population. Judging from this source, the committee were satisfied that there had been an increase in all parts of the county, but they saw no reason to believe, that since 1830, the relative amount of population had materially changed.

The village of Sheldon is situated on the falls of a small stream, that flows into Missisquoi river, about one mile from its junction. The fall in the stream is favorable for manufacturing purposes; but the supply of water does not appear to be very abundant. The committee were furnished with no evidence of the number of inhabitants it contains, or the number or value of the buildings.

The committee consider that a very large proportion of the mercantile and manufacturing business of the county, is at present done in those towns situated on the shores of the lake; and they regarded it as too clear, to admit of serious question, that in the location of county buildings, population and business are entitled to the highest consideration, and that the claims of the geographical centre, are in comparison, feeble and impotent. If the committee are well founded in this, it follows conclusively, from the foregoing facts, that the public buildings ought not to be located at Sheldon.

It will be perceived, from the view taken of the subject by the committee, that they place no reliance in coming to the conclusions at which they have arrived, to the fact, that convenient public buildings already exist at St. Albans; nor that a flourishing village has grown up in some measure consequent thereon. For although the committee consider, that such considerations, would be entitled to much weight, in a case otherwise doubtful,—yet they do not regard them, as of primary importance. Nor were the committee influenced, by the proposal of the inhabitants of Sheldon, to build the necessary public buildings at their own expense, if located at that place. For if any county should be so unwise, as to be willing to barter the interests of the public, for the poor equivalent, of escaping, from what should be a common burthen, by casting it on a few individuals; the Legislature, wholly disregarding such considerations, would look solely to the public good.

As the shire is now established at St. Albans, it might be considered sufficient, to decide, whether it ought now to be removed. But as by the terms of the act, the committee were required to make the examination, with a view to the permanent shire of the county; they consider it to be their duty, to examine the subject in this point of view.

If the principles before laid down, and acted upon by the committee, are correct, it follows that this branch of the enquiry is to be determined, by considering whether, the relative amount of business and population may be expected materially to change, in after times. It was with a view to the present enquiry, that the committee have endeavored to describe the character and capacity of the soil, for agricultural purposes.

The committee believe, that the superior fertility of the soil, in the western part of the county, its small quantity of waste land, its comparative freedom from untimely frosts; and its general adaptation to tillage; will forever enable it, with the same industry and skill, to support from the products of the soil, a population far more dense, than can be sustained by the same means, in the eastern towns. By an improved mode of agriculture, it is probable, the products of the soil, might be increased ten or twenty fold; and some may imagine, that those improvements will be most rapid, in the eastern towns, which have been least ameliorated by the hand of labor. But as improvements in agriculture, are the results of accumulated capital, and increased skill; experience demonstrates, what theory only suggests, that soils naturally fertile, affording the greatest facilities, for accumulating the capital indispensable for important permanent improvements, are soonest made to feel the mighty influence of abundant means, directed by the highest art. To suppose therefore, that the most unpropitious soils, will first attain the highest state of cultivation, is to disregard the voice of reason, and the results of experience.

How far the introduction, or extension of manufactures, may be expected to affect business, and population, it is more difficult to determine. While the eastern towns, possess the most water power, capable of being applied to manufacturing purposes; the best situations, for extensive works, are undoubtedly in Swanton and Highgate, on the Missisquoi river, and in Fairfax, on the Lamoille. No other streams in the county, contain a supply of water, sufficiently abundant, for very extensive manufactures. As those mill sites, nearest navigable water, are obviously most desirable for extensive works; it would seem highly probable, that if any considerable manufacturing towns, are destined to rise up, in that county, they will be found on its western borders.

The present tendency of trade, and business, to the western part of the county, the committee believe can never be expected to change so long as the lake continues to be the principal channel by which its surplus products seek a market; and through which, those of neighboring states, and foreign countries, are brought in exchange. While the same causes exist, the same results must follow. So long as the farmer can obtain, for his own products, higher prices on the shores of the lake, and can purchase those of other countries lower, he will not very readily forego the advantage.

From the personal examination of the committee, and from a careful consideration of all the evidence submitted to them, they are of the opinion that St. Albans, is decidedly the best place, for the permanent location of the county buildings.

Sensible that the subject was one of great importance to the county, and therefore calculated to excite strong and deep feeling; that the wishes and hopes of all could not be gratified; and fully aware of their

own liability to err; the committee have attempted, patiently, and impartially, to gather all the facts, they regarded as material, in forming a just and wise conclusion; and they have endeavored to present them, and the reasoning applied to them, to the consideration of the Legislature; so that if the conclusions of the committee are erroneous, they can easily be corrected.

Upon a subject of so much delicacy, it has been a source of peculiar gratification to the committee, that they were entirely unanimous, in the conclusion, at which they have arrived.

Dated at Montpelier, this fourteenth day of October, in the year of our Lord, one thousand eight hundred and thirty-seven.

CHARLES LINSLEY,  
DANIEL KELLOGG,  
LYMAN FITCH.

## APPENDIX.

### [A]—A TABLE,

*Showing the distance from the centre of each town in the County, to St. Albans and to Sheldon, with the population of each town, and travel of the whole population.*

1 To St. Albans :				2 To Sheldon :			
	distance in miles	Pop- ula- tion.	travel of whole popula- tion		distance in miles	Pop- ula- tion.	travel of whole popula- tion
Fairfield	7	2270	15,890	Fairfield	6	2270	13,620
Fairfax	12	1729	23,748	Fairfax	16	1729	27,664
Bakersfield	14	1087	15,218	Bakersfield	14	1087	15,218
Berkshire	20	1308	26,160	Berkshire	11	1308	14,388
Enosburgh	20	1560	31,200	Enosburgh	11	1560	17,160
Fletcher	14	793	11,102	Fletcher	15	793	11,895
Franklin	14	1129	15,806	Franklin	8	1129	9,032
Georgia	6	1897	11,382	Georgia	15	1897	28,455
Highgate	8	2038	16,304	Highgate	*11	2038	22,418
Richford	27	704	19,008	Swanton	12	2158	25,896
Sheldon	9	1427	12,843	St Albans	9	2395	21,555
Swanton	8	2158	17,264	Richford	18	704	12,672
Montgomery	27	460	12,420	Montgomery	18	460	8,280
	186		225,345		164		228,253

\*Calculated by yellow meeting house in Swanton. There is now another road travelled, making 8 miles travel from Highgate to Sheldon.

## RECAPITULATION.

1.	
Travel to Sheldon	223,253
Travel to St. Albans	225,345
	<hr/>
Balance in favor of St. A.	2,908
2.	
Miles to St. Albans	186
Do. to Sheldon	164
	<hr/>
	22
The mean travel to St. A.	13 3-4 miles.
Do. do. to Sheldon	11 10-14 "
	<hr/>
Making a difference in favor of Sheldon of only	1 1-2
Balance of the whole travel is in favor of St. Albans	2,908 miles.

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I, Joseph Beeman, of Fairfax, in the county of Franklin, of lawful age, testify and say, that I have resided in the county of Franklin for the last fifty years. I have followed surveying for forty-five years. A part of the time I have been surveyor general of the state, and a part of the time county surveyor, and can truly say that I have been in the course of my business on most every hundred acres of land in said county. I have been well acquainted with the travelled roads leading to and from different towns in said county. I have examined the foregoing table of distances computed from the business centre of each town to St. Albans and to Sheldon, together with the population of each town, and believe the distances to be correctly computed according to the usual and best travelled routes. I further testify and say that east of the geographical centre of the county, there is more than one township of land that is a perfect blank, or wholly unsettled land.

JOSEPH BEEMAN.

St. Albans, August 15, 1837.

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STATE OF VERMONT, }  
 FRANKLIN COUNTY, ss. } St. ALBANS, August 15, 1837.  
 the subscriber to the foregoing affidavit, and made oath that it contains  
 the whole truth and nothing but the truth, before me.

LUTHER B. HUNT, Justice Peace.



## [B]—A TABLE,

*Of distances from Sheldon to the towns in the County of Franklin.*

The distance from the Falls at Sheldon

		Miles.
To Highgate Falls	is	8*
" " Furnace	is	10
" " Upper Falls	is	4 1-2†
" Franklin Centre	is	8
" Union in Berkshire, via East Franklin	is	11
" Berkshire Centre via East Mills	is	12
" East Berkshire	is	14
" Richford Centre Mills	is	19
" Montgomery Church	is	19
" Enosburgh Centre	is	10
" " Fuller's	is	8
" Bakersfield via Fuller's	is	13 1-2
" " via Fairfield brick meeting house	is	10†
" Fairfield Centre	is	5 1-2
" Fletcher	is about	11 1-2
" Fairfax	is	15
" Georgia	is	15
" S. Albans	is	9
" Swanton Falls	is	10 1-2 or 11
" " meeting house	is	7

The above table of distances from Sheldon to the places indicated in the towns in the County of Franklin, we believe to be correct.

R. A. SHATTUCK,  
JOHN A. FITCH,  
JACOB WEAD.

\*New laid road 6 1-2. †Can shorten.

## [C]—GRAND LIST OF FRANKLIN COUNTY, 1836.

## 1.—List of towns best accommodated at St. Albans.

St. Albans	.	.	.	.	.	.	20,308
Georgia	.	.	.	.	.	.	14,854
Swanton	.	.	.	.	.	.	11,049
Highgate	.	.	.	.	.	.	11,393
Fairfax	.	.	.	.	.	.	8,903
Fletcher	.	.	.	.	.	.	4,579 \$71,086

Fairfield	.	.	.	.	.	.	10,248
Bakersfield	.	.	.	.	.	.	6,391 16,629

These two last towns, though at the same distance from Sheldon as from St. Albans, are, on account of business connections with the lake towns, better accommodated at St. Albans.

Grand List of towns in favor of St. Albans \$87,715

## 2.—Towns best accommodated at Sheldon.

Sheldon	.	.	.	.	9,383	
Enosburgh	.	.	.	.	6,858	
Montgomery	.	.	.	.	2,501	
Richford	.	.	.	.	2,427	
Berkshire	.	.	.	.	5,622	
Franklin	.	.	.	.	5,992	32,783

Balance on Grand List in favor of St. Albans \$55,132

It will be seen from the above, that the towns best accommodated have about 3-4ths of the amount of the grand list.

## [D]—A TABLE,

Showing the residence of parties in suits in Franklin County and Supreme Courts, for 1830, 1833, 1836.

## APRIL TERM—1830.

To Sheldon.	Miles	No. of parties	Whole travel	To St. Albans.	Miles	No. of parties	Whole travel
St. Albans	9	260	2340	St. Albans	0	260	
Georgia	15	40	600	Georgia	6	40	240
Swanton	12	167	2004	Swanton	8	167	1336
Highgate	11	53	583	Highgate	8	53	424
Fletcher	15	19	285	Fletcher	14	19	266
Fairfax	16	59	944	Fairfax	12	59	708
Franklin	8	16	128	Franklin	14	16	224
Sheldon	0	67		Sheldon	9	67	603
Fairfield	6	41	246	Fairfield	7	41	287
Bakersfield	14	62	868	Bakersfield	14	62	868
Berkshire	11	50	550	Berkshire	20	50	1000
Richford	18	8	144	Richford	27	8	216
Montgomery	18	9	162	Montgomery	27	9	243
Enosburgh	11	18	198	Enosburgh	20	18	360
Non residents				Non residents			
better accom-				better accom-			
modated at St. A.	9	265	2385	modated at Sheldon	9	12	108
			11437				6883
Amount of travel to Sheldon							11437
Amount of travel to St. Albans							6883
Balance of travel of parties in favor of St. Albans							4554
Balance of travel in favor of St. Albans at 5 cents per mile of parties							\$227 70
Estimate Supreme term the same							227 70
							455 40

F

[D—continued.]

Travel of witnesses estimated at half that of parties	227 70
	688 10
Balance of travel in Supreme Court 1830 in favor of St. Albans	54 25
	<u>\$737 35</u>

## APRIL TERM—1836.

To Sheldon.	Miles	No. of parties	Whole travel	To St. Albans.	Miles	No. of parties	Whole travel
St. Albans	9	236	2124	St. Albans		236	
Georgia	15	18	270	Georgia	6	18	108
Swanton	12	74	888	Swanton	8	74	502
Highgate	11	32	352	Highgate	8	32	256
Fletcher	15	33	45	Fletcher	14	3	42
Fairfax	16	33	528	Fairfax	12	33	396
Franklin	8	20	160	Franklin	14	20	280
Sheldon	0	36		Sheldon	9	36	334
Fairfield	6	72	432	Fairfield	7	72	504
Bakersfield	14	22	308	Bakersfield	14	22	308
Berkshire	11	18	198	Berkshire	20	18	360
Richford	18	10	180	Richford	27	10	270
Montgomery	18	0		Montgomery	27	0	
Enosburgh	11	12	132	Enosburgh	20	12	240
Non residents				Non residents			
best accommo- dated at St. A.	9	219	1971	best accommo- dated at Sheldon	9	7	63
			7588				3743
Amount of travel of parties to Sheldon							7588
Amount of travel of parties to St. Albans							3743
Balance of travel in favor of St. Albans							3845
Balance of travel of parties in favor of St. Albans at 5 cents per mile is							\$192 25
September term estimated the same							192 25
							384 50
Witnesses' travel estimated at each term, at half as much as that of parties							192 25
							<u>\$576 75</u>
Balance of travel in favor of St. Albans, 1833, Supreme Court							54 25
							<u>\$631 00</u>

[D—continued.]

## APRIL TERM—1836.

To Sheldon.	Miles	No. of parties	Whole travel	To St. Albans.	Miles	No. of parties	Whole travel
St. Albans	9	127	1143	St. Albans		127	
Georgia	15	36	390	Georgia	6	26	156
Swanton	12	61	732	Swanton	8	61	123
Highgate	11	32	352	Highgate	8	32	256
Fletcher	15	5	75	Fletcher	14	5	70
Fairfax	16	30	480	Fairfax	12	30	360
Franklin	8	22	176	Franklin	14	22	308
Sheldon	0	21		Sheldon	9	21	189
Fairfield	6	23	138	Fairfield	7	23	161
Bakersfield	14	32	448	Bakersfield	14	32	448
Berkshire	11	26	286	Berkshire	20	26	520
Richford	18	4	72	Richford	27	4	108
Montgomery	18	0		Montgomery	27	0	
Enosburgh	11	5	55	Enosburgh	20	5	100
Non residents nearest St. A.	9	115	1035	Non residents nearest Sheldon	9	9	81
			5382				2835

Amount of travel of parties to Sheldon 5382

Amount of travel of parties to St. Albans 2835

Balance of travel in favor of St. Albans 2497

Balance of travel of parties in favor of St. Albans at 5 cents per mile is \$124 85

September term estimated at the same 124 85

Witness' travel estimated at half as much as that of parties \$249 70

124 85

374 55

Balance of travel in favor of St. Albans, 1836, Supreme Court 54 25

\$428 80

[D—continued.]

## JANUARY TERMS SUPREME COURT,

1830, 1833, &amp; 1836.

To Sheldon.	Miles	No. of parties	Whole travel	To St. Albans.	Miles	No. of parties	Whole travel
St. Albans	9	153	1377	St. Albans		153	
Georgia	15	26	390	Georgia	6	26	156
Swanton	12	56	672	Swanton	8	56	448
Highgate	11	29	319	Highgate	8	29	232
Fletcher	15	5	75	Fletcher	14	5	70
Fairfax	16	24	384	Fairfax	12	24	288
Franklin	8	8	64	Franklin	14	8	112
Sheldon		12		Sheldon	9	12	108
Fairfield	6	25	150	Fairfield	7	25	175
Bakersfield	14	20	280	Bakersfield	14	20	280
Berkshire	11	5	55	Berkshire	20	5	100
Richford	18			Richford	27	0	
Montgomery	18	2	36	Montgomery	27	2	54
Enosburgh	11	16	176	Enosburgh	20	16	320
Non residents nearest St. A.	9	185	1665	Non residents nearest Sheldon	9	5	45

5643]

2388

Amount of travel to Sheldon for 3 years

5643

Amount of travel to St. Albans for 3 years

2388

Balance of travel in favor of St. Albans for 3 years

3255

Balance of travel in favor of St. Albans, in Supreme Court,  
for 3 years, at 5 cents per mile is

\$162 75

*No. of parties best accommodated at St. Albans, April term of 1830,  
1833, & 1836, to wit :*

	1830.	1833.	1836.
From St. Albans	260	236	127
“ Georgia	40	18	26
“ Swanton	167	74	61
“ Highgate	53	32	32
“ Fletcher	19	3	5
“ Fairfax	59	33	30
Non residents nearest St. A.	265	219	115
	760	615	396
“ Fairfield	41	72	23
“ Bakersfield	62	22	32
	863	709	451—2023

## [D—concluded.]

*Parties best accommodated at Sheldon, to wit :*

	1830.	1833.	1836.
From Sheldon	67	36	21
“ Franklin	16	20	22
“ Berkshire	50	18	26
“ Richford	8	10	4
“ Montgomery	9	0	0
“ Enosburgh	18	12	5
Non residents nearest Sheldon	12	7	9
	<u>180</u>	<u>103</u>	<u>87—370</u>

I, Joseph H. Brainard, clerk of the county court and of the supreme court of judicature and court of chancery, in and for the county of Franklin, in the state of Vermont, do hereby certify that I have examined the dockets of the said county court for April term 1830, April term 1833, and April term 1836, and also the dockets of said supreme court and court of chancery, for January term 1830, January term 1833, and January term 1836, and from examination do verily believe that the residences of the parties in civil actions, allowing but one plaintiff and one defendant to each of said civil actions on the dockets of said courts, are given correctly in the foregoing tables or statements of the residences of parties to civil actions in the aforesaid courts.

Dated at St. Albans, in said county of Franklin, this 17th day of August. A. D. 1837.

JOSEPH H. BRAINARD, Clerk.

[E]—*Amount expended by the inhabitants of St. Albans, in erecting and sustaining county buildings since the organization of Franklin county, to wit :*

In building the first court house in 1800	5,000 00
In building the 2d jail and jail house	1,000 00
In building 3d jail and jail house, built of stone and brick,	7,000 00
In rebuilding same after it was burnt (county paying \$5000 00)	1,500 00
In building the jail and house, 1825,	4,500 00
In rebuilding jail house and repairing jail	2,500 00
In building the present court house	2,700 00
Deduct amount paid by county	1,200 00
	<u>1,500 00—1,500 00</u>
	<u>\$23,000 00</u>

See affidavits of Jonah Newton, Julius Hoyt, L. Brainard.  
The court house, jail and jail house now worth \$8,000 00

## [F]—List and valuation of buildings in the village of St. Albans.

John Nason's	\$800	Hathaway and Burton	200
John Gilman's	1,500	Win Wright	200
J. M. Blaisdell [3 dwelling houses and barn]	1,600	Orlando Stevens	300
Smalley & Adams	1,750	John French	1000
David Stevens (4 dwelling houses)	3,900	S. Gorham	1500
A. Houghton	3,600	Joseph Farnsworth	800
G. G. Smith & A. Houghton	3,000	John Gates	400
Col. Taylor	200	O. Adams	1500
R. P. Rice	400	R. S. Locke	3000
H. B. Sowles	550	E. L. Jones	600
B. Paul and S. Page	550	James Davis	2500
N. B. Wells	3000	J. L. Chandler	700
E. Burgess	400	Mrs. Marvin	200
J. Watson—two houses	10 00	N. W. Kingman	2000
Daniel Wright	400	L. Brainard's—[Catlin house]	1500
— Keeler	300	C. F. Safford	1000
L. P. Smalley	400	Wm Farrar	3000
A. H. Huntington	1200	David Read	800
Seymour's occupied by Graves	300	Benj. Swift	5000
J. Cornell	200	C. Wright	4 0
S. H. Barlow	4000	— Warren, [owned by Davis]	400
C. Huntington	400	Stephen S. Brown	400
H. Livingston	400	H. Colony	300
H. Seymour	3000	W. Cookman	200
J. Curtis	500	Wm Wheat place	400
J. R. Danforth	1500	E. Wainwright	1600
W. Fuller	800	Bassford	200
Thos H. Campbell	3000	A. Church	1500
J. Gallar	200	John Smith	3000
L. T. Hoyt	800	Worthington Smith	300
J. Hoyt	200	Mrs. Jones	700
Parker's	500	A. G. Tarlton	800
— Brackett	300	Keyes House	200
W. O. Gadcomb	5000	Methodist Parsonage	400
Asa Aldis	2300	Mrs. Wetmore	700
Lawrence Brainard	4500	Silas Robinson—[Smalley's]	300
L. L. Dutcher	1500	A. Stone	400
Bates Turner	1200	Rev. Mr. Allen	600
J. Newton	1200	Dr. Hall—two houses	3000
R. H. Hoyt	1200	Luther B. Hunt	2500
J. Todd	600	Orange Ferris	4000
W. Bridges	700		
			\$97550

## STORES AND SHOPS.

John Gilman	200	N. Burgess	
Jona M. Blaisdell—at home	200	S. H. Barlow	1500
E. Stevens—at home	800	H. & G. Vail	600
Ferris' store	600	Smalley & Adams	400
J. M. Blaisdell	1500	N. B. & A. Wells	400
A. Smith	150	A. H. Huntington	300

O. Adams	1000	Thos H. Campbell	400
Luther B. Hunt	1000	L. T. Hoyt	800
H. Livingston	1000	J. Hoyt & Safford	1500
V. Atwood	300	— White	100
H. Seymour	400	J. L. Chandler	150
J. Curtis	300	D. Reed	1000
N. W. Kingman	1500	Wetmore—store and shops	1200
A. Church	1000	W. O. Gadcomb & Aldis	3500
D. Stevens	1000	Brainard & Dutcher	800
C. B. Jones	800	Switt & Smith	1700
E. L. Jones	1000		
W. Fuller	500		123450

## PUBLIC BUILDINGS.

Congregational meeting house	7000
Methodist meeting house	3500
Episcopal church	3000

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\$13500

Court house	2700
Jail	4500

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7200

Dwelling houses, stores and shops	123450
Churches	13500
Court house and jail	7200

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\$144150

[G]—No. of causes in supreme court, Grand Isle county, from 1834 to 1837.

NORTH HERO, Aug. 13th, 1837.

DEAR SIR: In compliance with your request, I transmit to you the number of causes on the supreme court docket of Grand Isle county, for five terms past.

January term 1833, entries	4	old docket	6	Whole No. 10
Chancery " "	2	"	2	" 4
January term 1834 " "	4	"	1	" 5
Chancery " "	0	"	2	" 2
January term 1835 " "	9	"	1	" 10
Chancery " "	3	"	1	" 4
January term 1836 " "	7	"	2	" 9
Chancery " "	1	"	2	" 3
January term 1837 " "	11	"	2	" 13
Chancery " "	0	"	2	" 2

I hereby certify that the foregoing is a true statement of the number of causes on the docket of the supreme court, for Grand Isle county, law and chancery, for five terms past.

JOEL ALLEN; Clerk.



Which, on motion of Mr. Smith of St. Albans, were ordered to be laid on the table, and 300 copies were ordered to be printed, with the accompanying documents.

Mr. Safford introduced the following resolution :

*Resolved*, That the Judiciary committee be instructed to enquire into the expediency of establishing by law, meridian lines in the several counties in the state, or such number of lines as may be deemed necessary and convenient, for regulating the survey of lands in said state.

Which was read and passed.

On motion of Mr. Fairbanks, it was ordered that the vote referring the petition of Chauncy Adams and others, to the committee on roads and canals, be reconsidered, and the petition be referred to select committee of five.

Mr. Brewster on leave introduced a bill, entitled "an act relating to the "grand list," which was read once and referred to the general committee.

Mr. Field of Benson, introduced the following resolution :

*Resolved*, That the general committee be instructed to inquire into the expediency of making provision by law, more effectually to restrain neat cattle from running at large on the commons and highways in this state, said committee to report by bill or otherwise. Which was read and passed.

Mr. Vilas, on leave, introduced a bill, entitled "an act to alter and amend the probate act," which was read once, and referred to the judiciary committee.

Mr. Elliott, introduced the following resolution :

*Resolved*, That as the representatives of the people of Vermont, we are opposed to all monopolies, that we do not regard banks and incorporations for manufactures and internal improvements as monopolies, when granted for the public interest, upon the principle of fair competition, but believe them to be beneficial to community, particularly to persons of small property and the industrious poor. That the public faith ought to be sustained as to existing incorporations, and that all future ones, in certain contingencies, and upon certain terms to be clearly stated in the grants, ought to be made subject to the legislative power, consistently with the constitutional principle, that private property shall not be taken for public use, without just compensation.

Which was read, and ordered to be laid on the table.

Mr. Elliott introduced the following resolution :

*Resolved*, That the committee on education be instructed to inquire into the expediency of amending the eleventh section of the act, entitled "an act to provide for the support of common schools," and that they report thereon by bill or otherwise.

Which was read and passed.

Fifteen memorials from sundry inhabitants of the following towns, viz: Derby, Salem, Enosburgh, Bristol, Wolcott, Grafton, Lunenburg, Barnet, Weathersfield, Concord, and Milton were severally referred to the select committee on the Rutland memorial.

The petition of J. Loomis, was referred to the committee on claims.

The petition of Betsey Fling,

The memorial of eighty-eight inhabitants of Enosburgh,  
The petition of Stephen S. Parker and 43 others, relative to trial  
by jury, were severally referred to the judiciary committee.

Mr. Fisk, on motion, was excused from serving on the committee  
raised on the Rutland memorial, and Mr. Town of Mansfield was ap-  
pointed in his stead.

Mr. Richmond was excused from serving on the committee on banks,  
and Mr. Hastings was appointed in his stead.

The petition for a land tax on Newport, and

The petition of the selectmen of Somerset, were severally referred to  
the land tax committee.

The petition of Josiah Bates and others, was referred to the commit-  
tee of ways and means.

The memorial of the Franklin county agricultural society, was refer-  
red to the committee on agriculture.

Twelve memorials from twelve companies of Infantry of the Ver-  
mont militia, and

The memorial of sundry inhabitants of Woodstock, were severally  
referred to the committee on military affairs.

Five memorials of inhabitants of Enosburgh,

Three petitions of Stephen S. Parker and citizens of Concord,

Two petitions of inhabitants of Milton,

The petition of Joseph Parker and others, and

The petition of the inhabitants of Cavendish,

Were severally referred to the select committee raised on the Putney  
memorial.

Mr. Fairbanks, on leave, introduced a bill, entitled "an act relating  
to juror's fees," which was read once, and referred to the judiciary  
committee.

The House adjourned.

#### AFTERNOON.

House met pursuant to adjournment.

Mr. Dee introduced the following resolution :

*Resolved*, That the judiciary committee be instructed to inquire into  
the constitutional right of the Legislature of this state, to pass a law to  
interdict the making and vending of ardent spirits, and make report by  
bill or otherwise.

Which was read and passed.

Mr. Hopkins introduced the following resolution :

*Resolved*, That the judiciary committee be requested to inquire into  
the expediency of a repeal of "an act relating to interest," passed Nov.  
8th, 1836, and report by bill or otherwise.

Which was read and passed.

Mr. Seymour, on leave, introduced a bill entitled "an act directing  
the treasurer to pay Samuel B. Booth, the sum therein mentioned,"

Which was read one, and referred to the committee on claims.

G

Mr. Brewster, on leave, introduced a bill entitled "an act relating to common schools," which was read once, and referred to the committee on claims.

On the petition of Chauncey Adams and others, the Speaker announced the appointment of the following committee :

Messrs. Hopkins, Ellsworth, Miner, Smith of Monkton, and Ballard.

Twenty memorials, from inhabitants of Newfane, Woodford, Benson, Hubbardton, Greensboro', Reading, Jamaica, Holland, Highgate, Westford, Clarendon, Wardsboro, Addison, Middlebury, Newhaven, and students of Middlebury college, were severally referred to the select committee raised on the Rutland memorial.

Twenty three memorials, upon the subject of slavery in the district of Columbia, the annexation of Texas to the Union, and the admission of new states into the Union, whose constitution tolerates slavery—from towns of Jamaica, Peru, Poultney, Wardsboro, Granby, Westford, Bethel, Starksboro, Fletcher, and four memorials of Thomas Gould and others, and the petition of Jonas Hobart and others, against making political distinctions on account of color,

Were severally referred to the select committee raised on the Putney memorial.

Five memorials of five companies of Infantry of the Vermont militia, The memorial of James Miner and others.

The memorial of the officers and soldiers of 1st brigade and 3d division,

The memorial of Jerome B. Bailey and others, and the petition of inhabitants of the town of Reading,

Were severally referred to the committee on military affairs.

Five memorials from the towns of Bethel, Starksboro and Westford, Thomas Guild and others, and A. Orvis and others,

Were severally referred to the Judiciary committee.

The petition of James Willard and others, and

The petition of a company in Georgia,

Were severally referred to the committee on military affairs.

The petition of Nathaniel West and others, was referred to the committee of ways and means.

The petition of Beach Blodget and Andrew Blodget, and

The remonstrance of inhabitants of Westfield,

Were severally referred to the general committee.

The petition of John G. Wiggins, was referred to the committee on claims.

The petition of Ashley Appleton and others, was referred to the land tax committee.

The petition of the inhabitants of Newfane for a law, authorizing the judges of the county court to purchase lands, was referred to the members of Windham county.

The Speaker announced the following communication from the Governor.

EXECUTIVE CHAMBER, }  
Oct. 16, 1837. }

To the Senate and House of Representatives :

I herewith transmit the several communications referred to in my message, as having been received from several of the states in the Union, during the recess of the legislature.

S. H. JENISON.

Which was read, and the communications transmitted, on motion of Mr. Lawrence, were referred to a select committee to consist of one member from each county.

Mr. Heywood, on leave, introduced a bill entitled "an act regulating usury, and repealing an act relating to interest,"

Which was read once, and referred to the general committee.

Mr. Kittredge, on leave, introduced a bill, entitled "an act directing the treasurer to pay Abner Aldrich the sum therein mentioned," which was read once, and referred to the committee of claims.

Mr. Scofield, on leave, introduced a bill entitled "an act to settle the boundary line between Elmore and Worcester,"

Which was read once, and referred to a select committee of three.

Mr. Moore of Newport, introduced the following resolution :

*Resolved*, That the land tax committee be requested to enquire into the expediency of passing a law to tax all wild lands in this state, in proportion to their just value, for the purpose of making and repairing roads and bridges, and report by bill or otherwise.

Which was read and passed.

Mr. Hewes introduced the following resolution :

*Resolved*, That a committee of three be appointed, to ascertain and report to this House the reason for the delay in publishing and distributing the journals of the last session.

Which was read and passed.

Mr. Field of Jericho, introduced the following resolution :

*Resolved*, That the committee of insolvency be instructed to enquire into the expediency of extending the limits of the several jail yards in this state, to the lines of the counties in which they are severally located, and report by bill or otherwise.

Which was read and passed.

Mr. Partridge introduced the following resolution :

*Resolved*, That it is inexpedient and unsafe, to charter or recharter any banks, at the present session of the legislature,

Which was read and on motion of the mover, ordered to be laid on the table.

Mr. Dillingham introduced the following resolution :

*Resolved*, That the committee on insolvency be instructed to enquire into the expediency of abolishing imprisonment for debt, and report by bill or otherwise.

Which was read and passed.

Mr. Kittredge, on leave, introduced a bill entitled "an act for the relief of Silas B. Webster,"

Which was read once, and referred to the committee of ways and means.

Mr. Hayward, on leave, introduced a bill entitled "an act repealing an act regulating the practice of physic and surgery in this state,"

Which was referred to the committee on education.

Mr. McLaughlin, on leave, introduced a bill entitled "an act directing the quarter-master general, to furnish a field piece for the Franklin independent artillery company,"

Which was referred to the committee on military affairs.

Mr. Hewes, on leave, introduced a bill entitled "an act, repealing a part of the militia law,"

Which was referred to the committee on military affairs.

Mr. Hewes, on leave, introduced a bill, entitled "an act in addition to an act defining the powers of justices of the peace,"

Which was read once, and the House refused the second reading.

Mr. Richmond, on leave, introduced a bill entitled "an act relating to the state house,"

Which was read once, and referred to the general committee.

Message from the Senate, by Mr. Williams their secretary.

MR. SPEAKER:—The Senate do not concur with the House of Representatives, in passing the resolution, for a joint assembly to appoint a committee for equalizing the grand list.

The House adjourned.

TUESDAY, OCTOBER 17, 1837.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Kellogg.

The journal of yesterday was read.

Mr. Seymour introduced the following resolution:

Whereas the statutes of this state, are prolix, complicated and difficult to be understood, even by our legal men, and acts, upon the same subject, scattered through every part of the volume,

Therefore, *Resolved*, That it is the duty of this House, to enquire into the expediency of making provision by law, for the correction, revision, and embodying and bringing into one, all acts relating to the same subject, and placing them in language which can be understood, by every citizen who can read them.

Which was read and passed.

Mr. Hewett of Pomfret, introduced the following resolution:

*Resolved*, That the Senate and House of Representatives constitute the legislature of the state of Vermont.

Which was read and passed.

Mr. Richmond introduced the following resolution:

*Resolved*, That the committee raised on the last year's listing bill, be instructed to enquire into the expediency of defining the duties of se-

lectmen, in cases of appeal from assessments made by listers for money on hand and debts due, so that the selectmen of the several towns may understand whether it is, or is not, their duty to decide under any circumstances, on questionable claims, and report to this House by bill or otherwise.

Which was read and passed.

Mr. Brewster offered the following resolution :

*Resolved*, That the general committee be instructed to enquire into the expediency of making some legal provisions for the prevention of fraud in the manufacture and sale of shingles within this state, and report by bill or otherwise.

Which was read and passed.

Mr. Fullam, on leave, introduced a bill, entitled "an act in relation to the grand list,"

Which was read twice, and the rule requiring bills to be engrossed, and lie twenty four hours after the second reading before the third reading, was dispensed with, and the bill was read the third time and passed.

A message from the Senate, by Mr. Williams, their secretary :

MR. SPEAKER:—The Senate concur with the House of Representatives in passing a resolution for a joint assembly to elect a superintendant of the Vermont state prison, and other officers. Also the Senate concur with the House, in passing a resolution, directing the secretary of state to deliver to the representatives of such towns as have not received their proportion of the second volume of the Vermont statutes, their share of such statutes.

Mr. Dewey, on leave, introduced a bill entitled "an act laying a tax on lands in Guildhall,"

Mr. Robbins, on leave, introduced a bill, entitled "an act, laying a tax on lands in Granville,"

Which were severally referred to the land tax committee.

Mr. Hazelton, on leave, introduced a bill entitled "an act to settle county and town lines,"

Which was read once, and referred to the select committee, on the bill to settle the line between Elmore and Worcester.

Mr. Adams of Grand Isle, called up Mr. Partridge's resolution, relating to chartering of banks.

Mr. Brown of Worcester, moved to lay the resolution on the table,

And on the question, shall the resolution be laid on the table, the yeas and nays were demanded, and were as follows:

Those who voted in the affirmative are Messrs.

Adams of Brookline	Brown of Worcester	Dewey
Ashley	Bushnell	Elliot
Bailey	Byington	Field of Benson
Baker	Cardell	Fletcher
Bachelor	Carpenter of Ferrisburg	French of Bloomfield
Becket	Chandler	French of Williston
Bebee	Clark	Fullam
Bemis	Cogswell	Harmon
Blodgett	Colton	Harwood
Bond	Cory	Hewes
Boutell	Cummings	Hopkinson

Jackman	Peabody	Sears of Richford
Keith	Pond	Smith of Fairfield
Lawrence	Pope	Smith of St. Albans
Lockwood	Rice	Tilden
Martin	Rich of Shoreham	Trull
McLaughlin	Richmond	Wiley of Weston—55.
Morrill	Rockwell	
Moulton	Scofield	

Those who voted in the negative are Messrs.

Adams of Grand Isle	Davis	Houghton
Adams of West Haven	Dawson	Hovey
Allen of Irasburgh	Dee	Howe of Lunenburg
Allen of Westminster	Dillingham	Howe of Vernon
Ames	Doud	Hulett
Appleton	Drake	Huntoon
Atkins	Duncan	Hutchinson
Atwood	Eaton of Granville	Kellogg
Averill	Eaton of Stockbridge	Ketchum
Ayres	Edgerton	Kidder
Bacon	Ellsworth	Kinsley
Baldwin	Emery	Kittredge
Ballard	Fairbanks	Lance
Barber	Farman	Leonard
Barr	Farrington of Brandon	Manning
Belding	Farrington of Walden	Mason
Bingham	Field of Chester	May
Bloomer	Field of Jerico	McMillan
Bowman	Field of Wilmington	Miner
Bradley	Fisk	Moore of Fairlee
Brewster	Flagg	Moore of Newport
Briggs	Flint	Needham
Brigham	Foot	Nelson of Ryegate
Brown of Eden	Foster	Nelson of Wheelock
Brown of Goshen	Fuller	Paige
Brownell	Gibson	Palmer
Bucklin	Gillet	Parker of Bradford
Bullock	Goodrich of Alburgh	Parker of Underhill
Burgess	Goodrich of Hardwick	Partridge
Butler	Hapgood	Paul
Cady	Hardy	Peck
Capron	Hartwell	Pennock
Carpenter of Moretown	Harvey	Pierce
Chittenden	Hastings	Pineo
Church	Hatch	Potter
Coe	Hayward	Raymond
Colby	Hazletine	Rich of Maidstone
Cole	Hewett of Charlotte	Richardson
Corliss	Hewett of Pomfret	Robbins
Crowley	Hicks	Robinson
Culver	Hinman	Safford
Currier	Holden	Samson
Darling	Hopkins	Schoff

Scott	Town of Mansfield	Wheelock
Sears of Morristown	Town of Somerset	Wheeler
Seaver	Town of Woodbury	Wiley of Landgrove
Seymour	Townsley	Wilson
Sleeper	Tracy	Winchester
Smith of Clarendon	Tyler	Winslow
Smith of Monkton	Vilas	Wood of Springfield
Smith of Sheffield	Vincent	Wood of Westford
Snyder	Walker	Woodbury of Baltimore
Stevens of Essex	Warner	Woodbury of Bethel
Stevens of Newbury	Webster	Worden—164.
St. John	Westover	

So it was determined in the negative.

Mr. Kittredge offered to amend the resolution by inserting after the word "resolved"—"in view of the present embrassments of the currency and business of the country at large,"

And on the motion of Mr. Smith of St. Albans, the proposed amendment, was ordered to be laid on the table.

Mr. Brown of Worcester, proposed to amend the resolution, by inserting after "resolved" the words, "the Senate concurring herein," and on the vote being taken, shall the amendment be adopted? it was determined in the negative.

Mr. Briggs proposed to amend the resolution by striking out the word "unsafe," and on the vote being taken, it was determined in the negative.

Mr. Buck proposed to amend the resolution by adding the words "unless it can be done to secure the rights of the people."

Mr. Field of Wilmington, proposed to amend Mr. Buck's amendment, by adding the words "by making the private property of the stockholders liable for the redemption of the bills thereof,"—and on the question, shall the amendment to the amendment be adopted?

The yeas and nays were demanded, and were as follows:

Those who voted in the affirmative are Messrs.

Adams of Grand Isle	Bucklin	Dee
Appleton	Burgess	Dillingham
Ashley	Bushnell	Eaton of Granville
Averill	Butler	Eaton of Stockbridge
Ayres	Byington	Edgerton
Bacon	Cady	Elliot
Bailey	Cardell	Everts
Baldwin	Carpenter of Ferrisburg	Fairbanks
Barber	Carpenter of Moretown	Farrington of V. alden
Barr	Church	Field of Wilmington
Beckett	Coe	Fisk
Bemis	Colby	Flagg
Bingham	Colton	Fliint
Bond	Corbin	Foster
Bowman	Corliss	French of Bloomfield
Brewster	Crowley	Fuller
Brown of Eden	Culver	Gibson
Brown of Goshen	Currier	Gillett
Brown of Worcester	Darling	Goodrich of Alburgh
Brownell	Davis	Hapgood
Buck	Dawson	Hardy



Harmon	Moore of Newport	Smith of Monkton
Hastings	Morrill	Smith of Sheffield
Hatch	Needham	Snyder
Hayward	Nelson of Wheelock	Stevens of Essex
Hazeltine	Paige	Stevens of Newbury
Hewes	Palmer	St. John
Hill	Parker of Bradford	Tilden
Hinman	Parker of Underhill	Town of Mansfield
Holden	Partridge	Town of Somerset
Hopkins	Peabody	Town of Woodbury
Hopkinson	Peck	Townsley
Hovey	Pennock	Tracy
Howe of Lunenburg	Pierce	Trull
Howe of Vernon	Pineo	Tyler
Hulett	Pope	Vilas
Hutchinson	Potter	Vincent
Jackman	Raymond	Walker
Ketchum	Rich of Maidstone	Warner
Kidder	Richardson	Webster
Kittredge	Richmond	Wheelock
Lance	Robbins	Wheeler
Leonard	Robinson	Wiley of Weston
Lockwood	Rockwell	Wilson
Manning	Safford	Winchester
May	Samson	Winslow
McLaughlin	Scott	Woodbury of Bethel
Miner	Sears of Morristown	
Moore of Fairlee	Seaver	142.

Those who voted in the negative, are Messrs.

Adams of Brookline	Coggswell	Lawrence
Adams of Westhaven	Cole	Mason
Allen of Irasburgh	Cory	McMillan
Allen of Westminster	Cummings	Moulton
Ames	Dewey	Nelson of Ryegate
Atkins	Doud	Paul
Atwood	Duncan	Pond
Baker	Emery	Rice
Ballard	Farman	Rich of Shoreham
Bachelor	Farrington of Brandon	Scofield
Bebee	Field of Benson	Schoff
Belden	Field of Chester	Sears of Richford
Blodgett	Foot	Seymour
Bloomer	Fullam	Smith of Clarendon
Boutell	Goodrich of Hardwick	Smith of Fairfield
Bradley	Hartwell	Smith of St. Albans
Briggs	Harwood	Westover
Brigham	Hewett of Charlotte	Wiley of Lanogrove
Bullock	Hewett of Pomfret	Wood of Springfield
Capron	Hicks	Wood of Westford
Chandler	Huntoon	Woodbury of Baltimore
Chittenden	Keith	Worden—68.
Clark	Kellogg	

So it was determined in the affirmative.

And on the vote being taken, shall the amendment proposed by Mr Buck, as amended, be adopted?

It was determined in the affirmative.

Mr. Barr moved the previous question.

The call was not sustained by the House.

And on the question, shall the resolution pass?

The yeas and nays were demanded, and were as follows:

Those who voted in the affirmative are Messrs.

Adams of Brookline	Carpenter of Moretown	Hewett of Pomfret
Adams of Grand Isle	Church	Hewes
Adams of Westhaven	Coe	Hicks
Allen of Westminster	Colby	Hill
Ames	Cole	Hinman
Appleton	Colton	Holden
Ashley	Corbin	Hopkins
Atkins	Corliss	Hopkinson
Atwood	Crowley	Hovey
Averill	Culver	Howe of Lunenburg
Ayres	Currier	Howe of Vernon
Bacon	Darling	Hulett
Bailey	Davis	Hutchinson
Baker	Dawson	Jackman
Baldwin	Dee	Kellogg
Ballard	Dillingham	Ketchum
Barber	Doud	Kidder
Barr	Eaton of Granville	Kinsley
Beckett	Eaton of Stockbridge	Kittredge
Bebee	Elliot	Lance
Belden	Everts	Leonard
Bemis	Fairbanks	Lockwood
Bingham	Farrington of Brandon	Mason
Blodgett	Farrington of Walden	May
Bloomer	Field of Jerico	McLaughlin
Bond	Field of Wilmington	McMillan
Boutell	Fisk	Miner
Bowman	Flagg	Moore of Fairlee
Bradley	Flint	Moore of Newport
Brewster	Foster	Morrill
Brigham	French of Bloomfield	Needham
Brown of Eden	Fuller	Nelson of Ryegate
Brown of Goshen	Gibson	Nelson of Wheelock
Brownell	Gillett	Paige
Buck	Goodrich of Alburgh	Palmer
Bucklin	Goodrich of Hardwick	Parker of Bradford
Burgess	Hapgood	Parker of Underhill
Bushnell	Hardy	Partridge
Butler	Hartwell	Peabody
Byington	Harvey	Peck
Cady	Hastings	Pennock
Capron	Hatch	Pierce
Cardell	Hayward	Pineo
Carpenter of Ferrisburg	Hazeltine	Pope

H

Potter	Smith of Sheffield	Vincent
Raymond	Smith of St. Albans	Walker
Rich of Maidstone	Snyder	Warner
Richardson	Stevens of Essex	Webster
Richmond	Stevens of Newbury	Westover
Robbins	St. John	Wheelock
Robinson	Tilden	Wheeler
Rockwell	Town of Mansfield	Wiley of Weston
Safford	Town of Somerset	Wilson
Samson	Town of Woodbury	Winchester
Scofield	Townsley	Winslow
Sears of Morristown	Tracy	Wood of Springfield
Seaver	Trull	Woodbury of Bethel
Sleeper	Tyler	174.
Smith of Monkton	Vilas	

Those who voted in the negative are Messrs.

Allen of Irasburgh	Emery	Paul
Briggs	Farman	Pond
Brown of Worcester	Field of Benson	Rice
Bullock	Foot	Rich of Shoreham
Chandler	Fullam	Sears of Richford
Chittenden	Harmon	Seymour
Clark	Harwood	Smith of Clarendon
Coggswell	Huntoon	Smith of Fairfield
Cory	Keith	Wiley of Landgrove
Cummings	Lawrence	Wood of Westford
Dewey	Manning	Woodbury of Baltimore
Duncan	Moulton	Worden—\$6.

So it was determined in the affirmative.

A message from the Senate by Mr. Williams, their secretary :

MR. SPEAKER :—The Senate concur with the House of Representatives, in passing a resolution to appoint a committee to designate committee rooms ; they also concur with the House in passing a bill entitled "an act relating to the grand list," with a proposed amendment.

The House concurred in the proposed amendment of the Senate, to the above mentioned bill.

The Speaker announced the following committee to designate committee rooms :

Messrs. Fairbanks, Vilas, Fullam, Briggs and Mason.

The petition of Francis Slason and others ; three petitions from sundry inhabitants of Halifax, and two petitions from inhabitants of Randolph,

Were severally referred to the select committee on the Rutland memorial.

Two petitions from sundry inhabitants of Hancock ; three from Danville ; one from Halifax, and three from Randolph, relative to slavery, the annexation of Texas and slave states,

Were severally referred to the select committee on the Putney memorial.

The petition from Concord, for an artillery company,

Was referred to the committee on military affairs.

The petition of Lebbeus Edgerton ;  
 The account of Charles Davis, and  
 The account of L. Brainard,  
 Were severally referred to the committee on claims.

The petition of sundry inhabitants of Hancock,  
 Was referred to the judiciary committee.

The Speaker announced the appointment of the following committees :

On communications from other states :

Messrs. Smith of St. Albans, Allen of Irasburgh, Adams of Grand Isle, Dewey, Edgerton, Farrington of Walden, Carpenter of Moretown, Fletcher, Beckett, Hewett of Pomfret, Evarts, Hewlett, Bond and Mc Laughlin.

On the bill relative to the boundary line between Worcester and Elmore :

Messrs. Scofield, Palmer and Edgerton.

To enquire into the delay in publishing the journals of last year :

Messrs. Brewster, Baker and Hews.

The House adjourned.

#### AFTERNOON.

Leave of absence was granted to Mr. Chandler, the member from Tunbridge, for the remainder of the session, from and after to-morrow morning.

Mr. Hazleton introduced the following resolution :

*Resolved*, That the committee on roads and canals be directed to enquire into the expediency of raising the sum on the dollar, now required by law to be assessed by the selectmen, in making up their annual highway taxes, and report by bill or otherwise.

Which was read and passed.

Mr. Corey, on leave, introduced a bill entitled "an act for the relief of Allen Smith,"

Which was read once and referred to the committee of ways and means.

Mr. Palmer, on leave, introduced a bill entitled "an act to repeal certain acts therein mentioned,"

Which was read once and referred to the committee on military affairs.

Mr. Colby, on leave, introduced a bill entitled "an act relating to probate courts,"

Which was read once and referred to the judiciary committee.

Mr. Bullock, on leave, introduced a bill entitled "an act in addition to the several acts for laying out and making highways,"

Which was read once, and referred to the committee on roads and canals.

Mr. Sleeper, on leave, introduced a bill entitled "an act directing the quarter master general to loan fifty rifles, to the rifle company in Corinth,

Which was read once and referred, together with a petition upon the same subject, to the committee on military affairs.

Mr. Houghton introduced the following resolution :

*Resolved*, That the select committee raised on the subject of the grand list, be directed to report a bill fixing the principle on which the list of this state shall be made, on the plan of an annual appraisement of all the rateable property of each individual, at its value in money, including all unimproved land except public lands.

Which was read and passed.

Mr. Vilas, on leave, introduced a bill entitled "an act relating to pedlars,"

Which was read once, and referred to the general committee.

Mr. Vilas, on leave, introduced a bill entitled "an act altering the times of holding county courts in Lamoille and Orleans counties,"

Which was read once and referred to the judiciary committee.

The Speaker announced the appointment of Messrs. Vilas and Colby as the committee on bills.

A message from the Senate by Mr. Williams, their Secretary :

MR. SPEAKER :—The Senate have passed a resolution relative to the claims of this State for expenses during the revolutionary war.

They have also passed a bill entitled "an act establishing the flag of this State,"

In which they ask the concurrence of the House of Representatives.

The above bill was read twice and referred to the committee on military affairs.

The above resolution, from the Senate, was taken up, and is as follows :

*Resolved*, The House of Representatives concurring herein, that the governor of this State be requested to appoint some suitable person to investigate the facts, and ascertain whether this State has a just claim upon the government of the United States, for expenses incurred during the revolutionary war, and if in the opinion of the Governor the interests of this State require it, to present such claim to congress.

Which was read and the House resolved to concur.

Mr. Kittridge introduced the following resolution:

*Resolved*, The Senate concurring herein, that both houses meet in joint assembly in the Representatives' Hall at 3 o'clock afternoon, on Wednesday next, for the purpose of electing an Inspector of Banks and a Bank commissioner for the year ensuing.

Which was read and passed.

The committee for designating rooms for the standing committees, made the following

## REPORT :

Committee on Rules	No.	16
" Ways and Means	"	10
" Claims	"	14
" Banks	"	29
" Judiciary	"	16
" Military Affairs	"	12
" Roads and Canals	"	8

Committee on Insolvency	.	.	.	.	"	15
" Agriculture	.	.	.	.	"	32
" Manufactures	.	.	.	.	"	13
" Land Tax	.	.	.	.	"	6
" General Committee	.	.	.	.	"	7
" Education	.	.	.	.	"	11
" Grand List	.	.	.	.	"	15
" Distributing	.	.	.	.	"	23
" Elections	.	.	.	.	"	7
" Bills	.	.	.	.	Eng. Clerk's room.	

E. FAIRBANKS, for Committee.

Which report was accepted by the House.

The House adjourned.

WEDNESDAY, OCT. 18, 1837.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Kelley.

The journal of yesterday was read.

Mr. Hatch, on leave, introduced a bill entitled "an act relating to banks."

Which was read once and referred to the committee on Banks.

Mr. Hatch introduced the following resolution :

Whereas it appears that some, if not many, of the banks of this state have withheld from the state a part of the sums which they, by their acts of incorporation, were liable to pay, Therefore,

*Resolved*, That a select committee of five be appointed to take into consideration what method shall be adopted to recover such sums, as well as what procedure it is proper to adopt in relation to such banks, or all of the banks in this state, and that such committee report by bill or otherwise.

Which was read and ordered to be laid on the table.

A message from the Governor, by Mr. Manser, secretary of civil and military affairs:

MR. SPEAKER :—I am requested to lay before the House of representatives, the following communication from the Governor.

The communication is as follows :

*To the House of Representatives :—*

I herewith transmit to the House of Representatives the report of the board of commissioners appointed under the act of the last General assembly, for the purpose of making a preliminary survey of the route from the south to the north line of the State, through the valley of the Connecticut and Passumpsic rivers, with reference to the construction of a rail road thereon.

S. H. JENISON.

*Executive Chamber, Oct. 18, 1837.*

Mr. Ames introduced the following resolution :

*Resolved*, That the committee on the grand list be instructed to in-

quire into the expediency of exempting by law, three hundred dollars of every person's property, from taxation, and report by bill or otherwise :

Which was read, and the House refused to pass.

Mr. Vilas introduced the following resolution.

*Resolved*, That the general committee be instructed to enquire into the expediency of providing for the support of paupers, by the several counties, instead of towns, as now provided by law, and report by bill or otherwise.

Which was read and passed.

Mr. Cory, on leave, introduced a bill entitled "an act repealing an act therein mentioned,"

Which was read once and referred to the general committee.

Mr. Partridge introduced the following resolutions :

*Resolved*, That the present banking system in this State is unsafe for the people, and ought to be so modified as to afford an adequate guarantuee to the public, that the important purposes for which it was instituted shall be fully accomplished.

*Resolved*, That the several banks in this state, by their suspension of specie payments, have forfeited their charters, and thereby rendered them liable to be modified or annulled, as the legislature shall think proper.

*Resolved*, That a paper currency, in consequence of its liability to sudden expansions and contractions and also to depreciation, renders prices fluctuating, induces speculation, is injurious to the agricultural and manufacturing interest, and ought therefore to be confined to its appropriate sphere, viz., the facilitating of larger business transactions of the country.

*Resolved*, That the great and leading object in the establishment of government, and the making of laws, is to promote the general welfare, and that consequently whenever any law is, in its operation, adverse to the interests of the great body of the people, the legislature not only possesses the power, but is in duty bound to modify or repeal such law.

The resolutions were severally read, and on motion of the mover, were ordered to be laid on the table.

Mr. Hatch called up his resolution, in relation to the amount paid the State by the Banks, and proposed to amend the resolution, by striking out the words "it appears," and inserting "there is reason to believe," which amendment was adopted by the House.

Mr. Brown of Worcester, proposed to amend the resolution by striking out all before and all after the word "resolved" and inserting the following, "that a select committee of five be raised, for the purpose of ascertaining whether any of the banks in this state, have failed to comply with the provisions of the laws, requiring them to pay a portion of their profits into the Treasury of the State."

Mr. Smith of St. Albans, proposed to amend the amendment by adding, "and report to this House," and the subject was under consideration when

The House adjourned.

## AFTERNOON.

House met pursuant to adjournment.

Mr. Vilas, from the committee on bills, reported to the House that a bill entitled "an act relating to the grand list," had this day been presented to the Governor for his approbation and signature.

Mr. Brown accepted the proposed amendment offered by Mr. Smith of St. Albans, to his amendment to Mr. Hatch's resolution,

And the House adopted the amendment offered by Mr. Brown, and the resolution, as amended, was read and passed.

The petition for a land tax on Troy, and

The petition for a land tax on Lowell,

Were severally referred to the land tax committee.

The petition of sundry inhabitants of Mount Tabor was read and ordered to be laid on the table.

The petition of sundry inhabitants of Middlebury, relative to the right of trial by jury,

Was referred to the judiciary committee.

The judiciary committee were discharged from any further consideration of the resolution relative to the constitutional right of the legislature to interdict the traffic in ardent spirits.

Also from a resolution relating to meridian lines, and it was referred to the general committee.

Also from a bill entitled "an act relating to assignments," and it was referred to the committee of insolvency.

The committee of claims, on the petition of John G. Wiggins, reported a bill entitled "an act directing the Treasurer to pay John G. Wiggins the sum therein mentioned,"

Which was read once and ordered to be laid on the table.

The judiciary committee, on the resolution directing them to enquire into the expediency of repealing an act relating to interest, passed Nov. 8th, 1836,

Reported that said act ought not to be repealed.

A message from the Governor, by Mr. Manser, Secretary of civil and military affairs :

MR. SPEAKER :--I am directed to transmit to this House a communication from his excellency the Governor.

The communication is as follows :

EXECUTIVE CHAMBER, }  
Oct. 18, 1837. }

Hon. S. Foot, Speaker of the House of Representatives :

SIR :--I have the honor to inform the House of Representatives, that Norman Williams Esq., who was elected by the joint ballot of the Senate and House of Representatives, to fill the office of Treasurer of this State, declines the acceptance of that office.

I am, sir, with high respect,

Your obt. servt.

S. H. JENISON.

The judiciary committee, on the bill entitled "an act relating to juror's fees," reported that the same ought not to pass.



Mr. Tracy moved to dismiss the bill, and the question was under consideration when

The House adjourned.

THURSDAY, OCTOBER 19, 1837.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Kellogg.

The journal of yesterday was read.

The Speaker nominated the following committee to equalize the grand list:

Messrs. Chittenden, Ellsworth, Barber, Seaver, Field of Chester, Sleeper, Byington, Lance, Goodrich of Hardwick, Foster, Cummings, Sears of Morristown, Appleton, and Corbin; and the House confirmed the nomination.

The Speaker also announced the appointment of the following committee, raised on Mr. Hatch's resolution, relative to the amount paid the State by the banks:

Messrs. Hatch, Smith of St. Albans, Fairbanks, Chittenden, and Bradley.

The Quarter Master General made the following

## REPORT:

QUARTER MASTER'S DEPARTMENT, }  
MONTPELIER, OCT. 19, 1837. }

Hon. S. FOOT, Speaker of the House of Representatives:

SIR,—In obedience to the law requiring the quarter-master general to report annually, to the general assembly, the number and condition of the arms under his care, I have the honor to report, that they are all deposited in the arsenal at Vergennes, as the law requires, and consist of five thousand two hundred and ninety-eight muskets, twenty-five hundred and two wipers; twenty-five hundred and two spare flint caps; three hundred and fifteen ball screws; two hundred and fifty spring vises; sixty-five rifles; sixty-one powder horns; sixty-one cartouch boxes and belts; sixty-two bullet moulds, and three pieces of six pound iron cannon. Twenty five hundred and two of the above muskets, with the wipers, spare flint caps, ball screws, spring vises and cannon are in good order. The balance are in bad condition, and, in the opinion of the undersigned, need immediate attention. Some of the boxes in which the muskets are packed, also require repair.

I am aware that the law gives the quarter-master general authority to keep the arms at all times in good order, but, as I have had no opportunity to do so, since the department came under my care, I have deemed it expedient to apprise the legislature of the facts, that they might make an appropriation, if deemed necessary, before any expense was incurred.

I am sir, very respectfully,

Your obedient servant,

DAVIS RICH.

Which was read.

Mr. Hopkins introduced the following resolution :

*Resolved,* That the Clerk procure to be printed for the use of the Senate and House of Representatives, five hundred copies of the message of the Governor on the subject of the Connecticut and Passumpsic River rail road, the reports of the commissioners, and engineers, and the accompanying documents ; and that said reports be not inserted in the Journal, unless hereafter it shall be so ordered.

Which was read and passed.

The House resumed the consideration of the bill entitled "an act relating to Juror's fees," the question being on Mr. Tracy's motion to dismiss ; and on the vote being taken it was determined in the affirmative.

Mr. Elliot, on leave, introduced a bill entitled "an act in addition to an act entitled 'an act reducing into one the several acts for repairing and clearing highways,'"

Which was read once and referred to the committee on roads and canals.

Mr. Hazleton, on leave, introduced a bill entitled "an act to repeal an act therein mentioned,"

Which was referred to the judiciary committee.

Mr. Partridge, on leave, introduced a bill entitled "an act to repeal an act to preserve fish in Willoughby lake,"

Which was referred to the general committee.

Mr. Bacon, on leave, introduced a bill entitled "an act relating to Justices of the Peace,"

Which was read once and referred to the judiciary committee.

Mr. Sleeper, on leave, introduced a bill, entitled "an act in addition to 'an act extending the jurisdiction of constables,'"

Which was read once and referred to the judiciary committee.

Mr. Brown of Worcester, on leave, introduced a bill entitled "an act giving further time to Worcester and Elmore to make a road,"

Which was referred to the committee on roads and canals.

Mr. Richmond, on leave, introduced a bill entitled "an act to repeal part of an act therein mentioned,"

Which was read once and referred to the judiciary committee.

Mr. Town, on leave, introduced two bills, "an act to alter the name of Seymour Ainsworth," and "an act to alter the name of Samuel Ainsworth,"

Which were severally read once, and referred to the general committee.

Mr. Scott, on leave, introduced a bill entitled "an act to repeal an act therein mentioned,"

Which was read once, and referred to the general committee.

Mr. St. John, the member from Hubbardton, had leave of absence, for the remainder of the session, from and after to-morrow morning.

Mr. Smith of Monkton, on leave, introduced a bill entitled "an act in addition to an act providing for the office of Notary Public,"

Which was read once, and referred to the General committee.

Mr. McMillan, on leave, introduced a bill entitled "an act directing the Treasurer to pay Abram Harris the sum therein mentioned,"

Which was read once, and referred to the committee of claims.

Thirteen memorials from the towns of Barton, Essex, Hardwick, St. Albans, Lyndon, Burke, Barre, Brattleborough, and Elias W. Kellogg and others,

Were severally referred to the committee on the Rutland memorial.

Thirteen memorials, from the towns of Hardwick, Enosburgh, Middlebury, Randolph, and Waterbury, relative to slavery in the district of Columbia, the annexation of Texas, and new states, whose constitutions tolerate domestic slavery,

Were severally referred to the select committee on the Putney memorial.

Memorials of T. B. Ransom and others, D. Taft and others, and of a company of infantry,

Were severally referred to the committee on military affairs.

The petition of inhabitants of Randolph, relative to the right of trial by jury,

Was referred to the judiciary committee.

The petition of Alexander Johnson,

Was referred to the judiciary committee.

Mr. Partridge called up his resolutions, relative to Dartmouth college and Moore's charity school, and the first resolution was amended, by adding the words, "and also the act of the 5th Nov. 1803," and the resolutions were again ordered to be laid on the table.

Mr. Town, of Mansfield, introduced the following resolution:

*Resolved*, The Senate concurring herein, that both houses meet in joint assembly, on Friday, the 20th inst., at 10 o'clock in the forenoon, to elect a treasurer of this state, for the year ensuing.

Which was read and passed.

Mr. Dee introduced the following resolution:

*Resolved*, As the sense of this House, that the Legislature of Vermont do not possess the constitutional right to pass a law to interdict the making and vending ardent spirits in this state.

Which was read, and ordered to be laid on the table.

The bill entitled "an act directing the Treasurer to pay John T. Wiggins," &c., was read the second time, and ordered to be engrossed, and read the third time.

The judiciary committee, on the bill entitled "an act in addition to an act to provide for the receipt and distribution of the surplus money, &c.,"

Reported that the same ought to pass,

And the bill was read the second time, and ordered to be engrossed and read the third time to-morrow morning.

The same committee, on the petition of Betsey Fling,

Reported a bill entitled "an act altering the name of Betsey Fling."

The bill was read twice, and ordered to be engrossed and read the third time,

The same committee, on the bill entitled "an act relating to the rights of witnesses,"

Reported that the same ought not to pass,  
And the bill was dismissed.

The committee of claims, on the petition of Nathan Danforth,

Reported a bill entitled "an act for the relief of Nathan Danforth,"

Which was read twice, and ordered to be engrossed and read the third time.

The committee of ways and means, on the bill entitled "an act in addition to an act for the distribution of laws, journals," &c.,

Reported that the same ought to be amended and pass.

The bill was amended, as proposed by the committee, read the second time, and ordered to be engrossed and read the third time to-morrow morning.

The general committee, on the bill entitled "an act annexing part of Canaan to Lemington,"

Reported that the same ought to pass,

And the bill was read the second time, and ordered to be engrossed and read the third time to-morrow morning.

The same committee, on the bill entitled "an act in relation to the State House,"

Reported that the same ought to pass.

Mr. Partridge offered to amend the bill, by inserting "except for annual meetings of political state conventions."

Mr. Dillingham proposed to amend the proposed amendment, by striking out the words "political" and "annual,"

And the House adopted the proposed amendment to the amendment.

Mr. Safford proposed to amend the amendment, by adding, "that it shall be the duty of such convention, to appoint a suitable door-keeper, whose duty it shall be to see that no person enters, except such as are delegates to such convention,"

And the House refused thus to amend the amendment.

And on the question, will the House adopt the proposed amendment as amended? the yeas and nays were demanded, and were as follows:

Those who voted in the affirmative are Messrs.

Atkins	Field of Chester	Moore of Fairlee
Averill	Flagg	Needham
Baldwin	Gibson	Nelson of Ryegate
Belding	Gillet	Palmer
Bingham	Goodrich of Hardwick	Parker of Bradford
Bowman	Hapgood	Parker of Underhill
Bucklin	Hardy	Partridge
Bushnell	Hatch	Peck
Carpenter of Moretown	Hewes	Pineo
Church	Hicks	Raymond
Corliss	Hopkinson	Rich of Maidstone
Currier	Hulett	Richardson
Davis	Ketchum	Robbins
Dawson	Lance	Robinson
Dillingham	May	Samson
Eaton of Granville	McMillan	Scofield
Egerton	Miner	Scott

Sears of Morristown	Tyler	Warner
Stevens of Newbury	Vincent	Winslow—59.
Town of Mansfield	Walker	

Those who voted in the negative are Messrs.

Adams of Brookline	Dee	Manning
Adams of Grand Isle	Dewey	Mason
Adams of West Haven	Doud	Martin
Allen of Irasburgh	Drake	McLaughlin
Allen of Westminster	Duncan	Moore of Newport
Appleton	Eaton of Stockbridge	Morrill
Ashley	Elliot	Moulton
Atwood	Ellsworth	Nelson of Wheelock
Ayres	Emery	Paige
Bacon	Everts	Paul
Baker	Fairbanks	Peabody
Ballard	Farman	Pennock
Barber	Farnham	Pierce
Barr	Farrington of Brandon	Pond
Becket	Farrington of Walden	Pope
Bebee	Field of Benson	Potter
Bemis	Field of Jerico	Rice
Blodgett	Fisk	Rich of Shoreham
Bloomer	Fletcher	Richmond
Bond	Flint	Rockwell
Bouteli	Foot	Safford
Bradley	Foster	Schoff
Brewster	French of Williston	Sears of Richford
Briggs	Fullam	Seaver
Brigham	Fuller	Seymour
Brown of Eden	Goodrich of Alburgh	Smith of Clarendon
Brown of Goshen	Harmon	Smith of Fairfield
Brown of Worcester	Hartwell	Smith of Monkton
Brownell	Harvey	Smith of Sheffield
Buck	Harwood	Smith of St. Albans
Bullock	Hastings	Snyder
Burgess	Hayward	Stevens of Essex
Byington	Hazletine	Tilden
Cady	Hewett of Pomfret	Town of Woodbury
Capron	Hinman	Townsley
Cardell	Holden	Tracy
Carpenter of Ferrisburg	Hopkins	Trull
Chittenden	Howe of Lunenburg	Westover
Clark	Howe of Vernon	Wheelock
Cogswell	Huntoon	Wheeler
Colby	Hutchinson	Wiley of Landgrove
Cole	Jackman	Wiley of Weston
Colton	Kellogg	Wilson
Corbin	Kidder	Winchester
Cory	Kinsley	Wood of Springfield
Crowley	Kittredge	Wood of Westford
Cummings	Lawrence	Woodbury of Baltimore
Culver	Leonard	Woodbury of Bethel
Darling	Lockwood	Worden—148.

So it was determined in the negative. 1

Mr. Houghton moved to dismiss the bill, and on the question, shall the bill be dismissed? the yeas and nays were demanded, and were as follows:

Those who voted in the affirmative are Messrs.

Adams of Westhaven	Emery	Peck
Appleton	Flagg	Pennock
Atkins	Fletcher	Pineo
Averill	Fuller	Pope
Baldwin	Goodrich of Hardwick	Raymond
Bachelor	Hardy	Richardson
Belden	Hartwell	Robbins
Bowman	Hatch	Safford
Brownell	Hayward	Samson
Bucklin	Holden	Scotfield
Bullock	Hopkinson	Sears of Morristown
Burgess	Houghton	Sleeper
Bushnell	Hulett	Smith of Sheffield
Butler	Hutchinson	Stevens of Essex
Byington	Ketchum	Stevens of Newbury
Carpenter of Moretown	Kidder	Tilden
Church	Lance	Town of Mansfield
Coggswell	May	Town of Somerset
Colton	McMillan	Tyler
Corliss	Miner	Vincent
Darling	Moore of Fairlee	Walker
Davis	Needham	Warner
Dawson	Nelson of Ryegate	Wheelock
Dillingham	Palmer	Wheeler
Duncan	Parker of Bradford	Winchester
Eaton of Granville	Parker of Underhill	Winslow
Edgerton	Partridge	Worden—82.
Elliot	Peabody	

Those who voted in the negative are Messrs.

Adams of Brookline	Bond	Crowley
Adams of Grand Isle	Boutell	Cummings
Allen of Irasburgh	Bradley	Culver
Allen of Westminster	Briggs	Currier
Ames	Brigham	Dee
Ashley	Brown of Eden	Dewey
Atwood	Brown of Worcester	Doud
Ayres	Buck	Drake
Bacon	Capron	Eaton of Stockbridge
Baker	Cardell	Ellsworth
Ballard	Carpenter of Ferrisburg	Fairbanks
Barr	Chittenden	Farman
Beckett	Clark	Farnham
Bebee	Coe	Farrington of Brandon
Bemis	Colby	Farrington of Walden
Bingham	Cole	Field of Benson
Blodgett	Corbin	Field of Chester
Bloomer	Cory	Field of Jerico

Field of Wilmington	Jackman	Schoff
Fisk	Kellogg	Sears of Richford
Flint	Kittredge	Seaver
Foot	Lawrence	Seymour
Foster	Leonard	Smith of Clarendon
French of Williston	Lockwood	Smith of Fairfield
Fullam	Manning	Smith of Monkton
Goodrich of Alburgh	Mason	Smith of St. Albans
Harmon	Martin	Snyder
Harvey	Moore of Newport	Town of Woodbury
Harwood	Morrill	Towneley
Hastings	Moulton	Tracy
Hazeltine	Nelson of Wheelock	Trull
Hewett of Charlotte	Paige	Westover
Hewett of Pomfret	Paul	Wiley of Landgrove
Hewes	Pierce	Wiley of Weston
Hicks	Pond	Wilson
Hinman	Potter	Wood of Springfield
Hopkins	Rich of Shoreham	Wood of Westford
Hovey	Richmond	Woodbury of Baltimore
Howe of Lunenburg	Robinson	Woodbury of Bethel
Howe of Vernon	Rockwell	120.
Huntoon		

So it was determined in the negative.

Mr. Partridge moved to lay the bill on the table, and on the vote being taken, it was determined in the negative,

And the bill was ordered to be engrossed and read the third time tomorrow morning.

The committee of ways and means, on the bill entitled "an act for the relief of Silas B. Webster,"

Reported that the same ought to pass,

And the bill was read the second time, and ordered to be engrossed and read the third time.

The general committee, on the petition of William Bridges and others,

Reported that the prayer ought not to be granted,

And the petitioners had leave to withdraw their petition.

A message from the Governor, by Mr. Manser, Secretary of civil and military affairs:

MR. SPEAKER:—I am directed to transmit to the House of Representatives, a communication from his Excellency.

The communication is as follows:

EXECUTIVE CHAMBER, }  
Oct. 19, 1837. }

Hon. S. Foot, Speaker of the House of Representatives:

SIR:—I herewith transmit to the House of Representatives, copies of reports, which have been made to me, by the Treasurer of the state, Auditor in the treasury department, Bank Commissioner, Superintendent of the state prison, and Superintendent of the state house.

And have the honor to remain

Your obt. servt.

S. H. JENISON.

The following report of the superintendent of the State House, on motion of Mr. Kittridge, was ordered to be laid on the table.

### REPORT:

To his Excellency, SILAS H. JENISON, Governor of the State of Vermont:

The undersigned, superintendent of State House, respectfully makes the following report of the state of the work under his superintendence.

On receiving my appointment as superintendent, I entered on its duties with a firm conviction that previous to this time, it would be possible with economy to complete the house and enclosures, and fully carry out the design in a proper style of elegance, and in a most permanent and substantial manner, and that, with the appropriation then asked for and granted by the legislature.

Arrangements were made to make all the progress in the work possible, during the winter season; so that in the spring we might not be retarded, when we commenced, by the want of any thing which could be previously obtained. As many stone cutters were employed as could work to advantage. All the rough granite stone contracted for were received. The castings for the fence were contracted for and their delivery ensured. Common laborers, of the best reputation for industry and faithfulness, were engaged at an early day, to work through the season. Oxen were purchased and every thing done that prudence, experience or foresight dictated, to ensure the completion of the whole work, previous to Oct. 1, 1837; but things entirely without my control have operated so much to retard the work, that it was impossible, with any reference to economy, to complete it by this time. In order to ensure the permanency of the work, many items of expense have had to be incurred, not taken into the estimates made last fall. Some essential alterations in my design were rendered necessary, and many things have come up, in the progress of the work, to increase the expense, and have gradually increased it beyond the estimates made last fall.

It was with the utmost reluctance I was induced to incur any expense beyond what the amount of the appropriation contemplated. But on referring to the act under which I received my appointment, I found the trust was reposed in the superintendent by the Legislature to complete the whole in a *proper, substantial and permanent manner*; and also recurring to the repeated expression of the views of the members of the Legislature, both in their public and private capacity; and also that of other distinguished individuals, inhabitants of the state, in whose judgment and discrimination I had the fullest confidence, that the furniture, yard, enclosures, and every thing in any way connected with the State House, should be in keeping with it, not only in design, but in permanency, and in the elegance and beauty of its execution,—these considerations determined me to proceed with the work as I have done, leaving nothing undone, so far as I have gone, to ensure the permanency of all the work, and fully to carry out the design, with such amendments and alterations as have seemed necessary from time to time. I have at all times, studied the strictest economy (in the liberal sense of the word) in all my transactions. I have intended to pay a fair price, and *no more*, for every thing which it has been necessary to purchase; trusting to the liberal and enlightened feelings and the just discrimina-



tion of the Legislature to sustain me in the course I have taken, and to make such further appropriation as may be necessary to complete the whole establishment.

Through the winter, there were about 15 hands employed in our stone-cutting business; 11 of these were retained in our service through the summer and fall season.

Owing to the lateness of the season, we did not commence work on the grounds until the last week in April, (and then to some disadvantage in many respects) with about 37 laborers, which number we gradually increased, as our work progressed and required, to 60 or 65.—Have had from 10 to 15 stone-layers and brick-layers, (including those who laid the rough stone wall) employed through the season. From 4 to 7 carpenters and joiners, who, together with blacksmiths, plasterers, copper-layers, painters and cabinet makers, have increased the number employed, on an average, to 62 persons for the last 5 months.

There have been 5,200 feet of granite in its rough state delivered: 7214 feet of granite plain work hewn; 3770 feet of granite, extra cutting, ranging on an average, at twice the work of plain cutting; 17360 feet of hewn stone laid; about 95000 cubic feet of ledge has been removed; about 100 perch of rough stone laid into wall; about 10,000 yards of filling done; 300 loads of granite chips have been pounded for gravelling walks; 42,562 pounds of castings for fence, lamp-posts, &c. have been delivered and put up; 2100 pounds of copper procured and laid on the roof of the portico; 300 yards of plastering and 3000 yards of painting have been done; 140 kegs of powder, for blasting; 1200 pounds nails; 4250 pounds wrought iron and 20,000 feet of lumber have been used.

The above labor and materials have been applied in the following manner, viz. Have completed columns to portico; have raised and put on the entablature, the pedament and raking cornice, over them, and fully completed the stone work of the portico. Have put on and coppered the roof to it, paneled the ceiling in imitation of stone—Have raised the chimneys to the centre building to their proper height, and made an alteration in the windows at the base of the dome, necessary to the beauty of the exterior of the house. The yard has been graded; the ledge to a considerable extent on the east and west side of the house removed; the stone for the fence received, cut and laid; the iron-work to the same procured, fitted and put up—the walks within the yard laid out, made and covered with pounded granite and granite chips; the grounds in front of yard, and on the east side of yard, nearly filled up and graded; lamp posts of an improved form designed, cast and put up; stone posts for guard chains put up in front of yard; a walk in front of yard, and also on the east side, made, and gravelled; a covered drain on the east side, laid to carry off the water from rear of grounds to the river. The stone steps and piers in the yard have been laid; a faced wall of rough stone laid in rear of house, to secure the embankment of earth, and to cover up the ledge. A woodshed &c. has been built of rough, unhewn granite and granite chips. Within the house, curtains to the Governor's room, Governor's ante-room, Senate Chamber and Representatives' Hall have been procured and put up; furniture to the Governor's room and other parts of the house made or procured; carpets for the Governor's ante-room, Governor's private and Military Secretary's room, vestibule to the Representatives Hall, Circu-

lar Landings, and stairs to galleries, have been procured and put down—stoves in 6 committee rooms have been put up—5 committee rooms in 4th story finished—also a room in the dome, for the Treasurer of the state to keep the standard weights and measures.

Our work having been of so many kinds, and one part, in many cases, requiring to be completed before another part has been commenced, or much progress made in it, in order to avoid doing the work over twice, it has been impossible to make such general progress as under the circumstances might have been advisable. The frost coming out of the ground at so late a time, gave considerable trouble and was the cause of much hindrance; yet, every thing considered, I feel as though all had been done that could have been reasonably expected.

Much praise is due Mr. C. W. Bancroft, our Master Stone Cutter, who has also assisted in, and had charge of laying the stone of the portico and fence, for the faithful manner he has discharged the duties of his station; and the work of our columns, in particular, and our hewn stone generally, bear testimony to his excellency, and also to the superiority of the workmen who wrought them, and reflect much credit on them, as accomplished stone cutters.

Mr. H. Ainsworth, the overseer of our laborers, deserves much commendation for his faithfulness in the discharge of his duty; his perseverance in furthering the work, and seeking the best interests of the state. And it gives me much pleasure to state that our workmen, in the several branches of work on which they have been engaged, have with a few exceptions, been diligent, and labored faithfully for the state. The greatest harmony has prevailed among them, and they have accomplished as much as it was possible to do under all circumstances. Since my appointment up to Oct. 15, 1837, I have expended about \$27,900 00, which being deducted from the amount of appropriation available Nov. 17, 1836, which was equal to \$29,169 38, leave at this time \$1269 38, as available funds towards the completion of the work, as you will perceive by the following statement of the amount of appropriations since the work has been in progress, including the amount which Montpelier has paid, and also the amount the superintendent has expended each year.

Statement of appropriations and expenditures for State House, since the passage of the act authorizing its erection, viz:

*Available funds for building State House.*

Nov. 8, 1832. The legislature appropriated	\$15,000 00
Montpelier paid	15,000 00
Nov. 7, 1833, The legislature appropriated	20,000 00
Nov. 4, 1834, " " "	25,000 00
Nov. 10, 1835, " " "	30,000 00
Nov. 17, 1836, " " "	25,000 00
Making the whole amount of available funds up to this time, for building state house,	\$130,000 00
From which deduct what Montpelier has paid	15,000 00
	<hr/>
	\$115,000 00

The former superintendent's expenditures were as follows, viz :

From the commencement of the work to Oct. 1833, he expended	\$15,980 35
From Oct. 1833, to Oct. 20, 1834, he expended	24,713 26
" Oct 20, 1834 to Oct. 20, 1835, "	31,761 72
" Oct. 20, 1835, to Nov. 1, 1836, " (including what now remains in his hands)	28,365 29
Expended by present superintendent from Nov. 1, 1836, to Oct. 15, 1837,	27,900 00
Making the whole amount expended up to Oct. 15, 1837	\$128,760 62
Which being deducted from \$130,000, leaves amount of available funds as above	\$1,239 38

In order to carry the design fully into effect, and to complete it, I would respectfully inform you that the following things should be done, viz: The ledge to the north west of the house should so far be removed as to allow of a proper grading above the rough wall. A faced rough stone wall, similar to the one in rear of the House, should be built from the termination of the iron railing on the west side of the yard to the northerly line of the land belonging to the state; and then, on that northerly line, to the east line, and along the easterly line to the court house; which will, with the wall now built, enclose the part in rear of the house, intended to be planted with trees and shrubbery, and prevent their being destroyed. This enclosure should be graded in a proper manner and planted with various forest trees and shrubbery in the fullest possible manner, and with a reference to its effect on the building and grounds in front. Within the yard the grading, being partly new, will, on the frost coming out next spring, probably settle unevenly, particularly the walks; this will need repairing, and in anticipation of it, I have saved granite chips &c. sufficient to do it with. Paved gutters should be made at the sides of all the walks within the yard, to carry off the water. The gutters now made should be paved, to prevent washing. Covered drains, to carry the water from the conductors of the roof at each end of the building, should be laid down; and such guards provided against the washing of the embankments as experience and observation may dictate. The gates to yard put up; the grounds in front of yard finished by grading, laying curb stones, gravelled walks, &c. On the east side of yard the road should be macadamized, a paved gutter between it and the side walk, laid and paved to prevent washing. On the west side, the road should be filled up and macadamized, a side walk raised and gravelled, and between them a paved gutter made to carry the water from the hill in rear of house and grounds. Shrubby should be planted in the yard in such a manner, that while it breaks the continued lines of the embankments, and serves to harmonize the several parts to one another, it should not interfere with the general view. The wood work of the interior of the house, that is either stained or grained and varnished, should next year receive a good coat of varnish, which will cause it to retain its brilliancy and beauty for many years; and such parts as are painted should receive another coat of paint. Lightning conductors should be erected from several parts of the house. A few more things are wanted to complete the furniture, and some slight alterations are needed in different parts of the house.

The above things, together with such improvements in the design, as will probably come up in the course of the completion of the work, will require a further appropriation of \$5000, which I would most respectfully request the legislature to make.

Accompanying this is a schedule of my accounts, which I would most respectfully submit for auditing.

AMMI B. YOUNG, *Supt. S. House.*

*Montpelier, Oct. 18th, A. D. 1837.*

The following reports of the Auditor in the Treasury Department, Commissioner of the School Fund, Bank Commissioners, and Superintendent of the State Prison, were severally ordered to be laid on the table.

## REPORT

### OF THE AUDITOR IN THE TREASURY DEPARTMENT.

*To his Excellency, Silas H. Jenison, Governor :*

SIR : The Auditor in the Treasury Department, appointed by your Excellency to examine and audit the accounts of the Treasurer for the year following the 30th of September, 1836, having attended to the duties of his appointment, Reports the following to be a correct statement of the fiscal operations of the Department for the past year, and its situation on the 30th day of September, 1837.

STATE OF VERMONT IN ACCOUNT WITH AUGUSTINE CLARKE, TREASURER, DR.

*September, 30, 1837.*

To cash paid Judges of the Sup. Court, towards their salaries,

\$6037.94

Deduct fees in civil suits	2317.05	3720.89
cash paid to the several States Attornies,		2624.28
cash paid Sup. and County Court orders,		17386.97
cash paid for Wolf certificates,		140.00
cash paid Auditor's orders,		6434.66
cash paid for Bear certificates,		446.00
cash paid for Crow certificates,		385.90
cash paid Com. of Deaf and Dumb,		1377.57
cash paid Superintendent of State's Prison,		2150.00
cash paid on several Acts of Legislature,		2900.39
cash paid Supt. of State House,		29334.21
cash paid Harvey Bell for Law Reports,		1405.97
cash paid Secretary of State half year's salary,		150.00
cash paid Sec. of Gov. and Council half year's salary,		125.00
cash paid Sec. of civil and military affairs, half year's do.		100.00
cash paid O. H. Smith Clerk pro tem per act of Legis.		187.50
cash paid Auditor of accounts his salary,		75.00
cash paid Eng. Clerk his salary for half year,		87.50
cash paid Treasurer and Com. School fund his salary,		500.00

cash paid Gov. S. H. Jenison in part of his salary,	600,00
cash paid Secretary of the Senate half year's salary,	137,50
cash paid Assis. Sec. of do. half year's do.	75,00
cash paid Clerk of House of Rep. half year's salary,	137,50
cash paid Assistant Clerk, half year's do.	75,00
cash paid Librarian his salary,	75,00
cash paid D. Pierce, Auditor, for stationary and postage,	5,03
cash paid Electors of Pres. and Vice Pres.	141,85
cash paid A. Warner, Bank Commis.	72,00
cash paid H. Hale do. do.	68,00
cash paid Alex. S. Campbell do. do.	92,00
cash paid Insane Hospital	4000,00
cash paid for Rail Road Surveys,	3000,00
cash paid for cocoons,	30,49
cash paid Bank of Caledonia money borrowed,	1000,00
cash paid do. interest on do.	10,83
cash paid Bank of Burlington interest on Loan,	300,00
Error in credit of last year extra Div. of Bank of Vergennes,	80,00
Applied to School fund, being new rates,	975,54
Cash deliv. Trust. of several towns part Surp. Rev.	636273,51
Amount loaned to several towns, &c.	19252,90
Cash paid Debenture of Gen. Assembly,	18392,03
Cash paid for Fox certificates,	1499,35
To balance in the Treasury,	5940,62
	<hr/>
	\$ 761768,99

Cr.

By balance in the Treasury last year,	5472,94
cash received interest on arrearages of taxes,	794,30
cash received of the several State's Attornies,	4297,50
cash received for safety fund,	3703,35
cash received for Law Reports sold,	48,15
cash received of N. B. Haswell part Debenture returned,	3,00
cash received of Selectmen of several towns for show Licenses	390,00
cash borrowed of Bank of Caledonia,	1000,00
cash received for Taxes,	58820,26
cash received 3 Instalments U. S. Surplus Revenue,	669086,79
Cash received on dividends of	
Bank of Burlington,	\$ 1637,12
Farmers and Mechanic's Bank	840,00
Farmers Bank,	543,68
Bank of Orleans,	150,00
Bank of Woodstock,	400,00
Bank of Manchester	767,63
Bank of Middlebury,	240,00
Bank of Montpelier,	240,00
Bank of Windsor,	384,00
Bank of Brattleboro'	900,00

Bank of Bennington,	636,36
Bank of Rutland,	480,00
Bank of Vergennes,	384,00
Bank of Bellows Falls,	400,00
Bank of Caledonia	222,00
Bank of Orange County	240,00
Bank of Newbury,	200,00
Cash received towards principal of School Fund,	4124,00
Cash received Interest on do. do.	2695,88
Cash received for Pedlar's Licences,	1788,03
Cash received for old State Bank Debts	880,00—18152,70
	<hr/> \$761768,99

The Auditor further reports that the amount of Taxes in arrear including \$1016 of old arrearages, supposed to be for the most part unavailable, on the 30th day of September, 1837, is thirty-six thousand eight hundred and seventy two Dollars and forty nine Cents.

I am, sir, your most obedt. servant,  
CHARLES DAVIS.

## REPORT

### OF THE AUDITOR IN THE TREASURY DEPARTMENT, ON THE SCHOOL FUND.

*To his Excellency, Silas H. Jenison:*

SIR. By an act, passed Nov. 17, 1825, for the benefit of common Schools, creating a School fund and making the Treasurer Commissioner thereof; the Auditor in the Treasury Department is directed to Audit the doings of the Treasurer in this behalf, and make annual Report of all matters appertaining thereto, and especially the amount, increase and securities of said School fund. In compliance with the provisions of said Act, the Auditor has examined the doings of the Treasurer, and reports the following to be a correct statement thereof, on the 30th day of September, 1837.

STATE OF VERMONT IN ACCOUNT WITH A. CLARKE, COMMISSIONER OF  
SCHOOL FUND, Dr.

September, 30, 1837.

To amount loaned by exchange of Notes,	\$975 54
Error in credit of extra dividends of Bank of Vergennes,	
February, 1836,	80 00
Amount loaned this State the past year,	17097 16
	<hr/> \$18152 70

*Cr.*

By amount received by the Treasurer the past year, including the exchanges as above, as appears by the Report of the Auditor in the Treasury Department made this day, 18152 70

The amount reported on last year was 48509 72  
Deduct amount on principal paid within the year, 4124 00

Add amount of exchange Notes, 44385 72  
975 54

Amount loaned the State in 1834, 45361 26  
Amount loaned the State in 1835, 9192 38  
Amount loaned the State in 1836, 14025 78  
Amount loaned the State in 1837, 14546 94  
17097 16

Amount of School Fund, \$100223 52  
exclusive of Interest owed by the State on the above loans.

The Auditor further reports that, so far as he is informed, or can judge, the sums on loan to individuals, are generally satisfactorily secured by mortgage or otherwise.

I am, Sir, your most obedt. Servant,  
CHARLES DAVIS.

### Safety Fund.

Operations, Amount and Increase of the Safety Fund, September 30th, 1837.

Cash received of Bank of Middlebury . . . 1850 00  
of Woodstock, . . . 1661 46  
of Bellows Falls . . . 1660 42  
of Farmer's Bank. . . 855 05  
of Orleans . . . 722 50  
of Newbury . . . 1273 96  
of Essex . . . 525 00  
of Manchester . . . 1415 21  
of Farmers and Mechanics . . . 631 25  
Interest received on Notes . . . 429 29  
Interest charged the State 30th September, 1837, on account  
of money loaned to the State . . . 525 76

\$11545 90  
Deduct amount paid Commissioners . . . 872 00

Amount of Safety Fund \$10673 90  
September 30, 1833.

Amount paid Mr. Coolidge, by Mr. Swan . . . 4 00  
paid Commissioners . . . 868 00  
on loan to individuals . . . 3754 84  
on loan to the State . . . 6919 06

\$11545 90

AUGUSTINE CLARKE, *Treasurer.*

Montpeller, 30th Sept., 1837.

**BANKS.**

*To His Excellency, the Governor:*

The undersigned Bank Commissioners, of the State of Vermont, respectfully report, that they have inspected the Banks in this State, subject to the provisions of the act regulating the chartering of Banks, and find the condition of those Banks to be as follows :

FARMER'S BANK.		
Capital Stock	60,000 00	Bills discounted 83,656 78
Bills in circulation	55,926 00	Deposited in Troy C'y Bk 19,407 70
Due Treasurer of Vt.	407 71	do in Market Bk Boston 5,848 06
Due Bank at Whitehall	75	do in Suffolk Bank 3,000
Due Depositors	1,351 01	Due from Bk of Vergennes 130 28
Dividends Due	181 20	Due from Bank of Troy 1 50
Safety Fund	225 00	Due from Bk of St Albans 203
Profit and Loss	3,179 05	Due from Farmers Bk Troy 1 50
		Banking house and Lot 2,354 28
		Bills of other Bks on hand 3,527
		Specie 3,140 02
August 9, 1837.	121,270 72	121,270 72

ORLEANS BANK.		
Capital Stock	30,000	Bills Discounted 53,913
Bills in Circulation	41,170	Funds in Suffolk Bank 3,000
		do in Market Bank 8,857
		Bills of other Bks on hand 5,905
		Specie 895
July 28, 1837,	71, 170	72,570

BANK OF MIDDLEBURY.		
Capital Stock	60,000	Bills rec'ble or notes dis. 97,337 05
Circulation	58,624	Specie on hand and deposits in
Due Depositors	4,885 63	Boston, Troy & F'n Bills 32,311 45
Unclaimed Dividends	2,072	Due from other Banks 389 60
Due other Banks	710 01	
Disc't ac't and expense ac't	3,746 46	
August, 1st. 1837,	130,038 10	130,038 10

FARMERS AND MECHANICS BANK.		
Capital Stock	105,000	Notes Discounted 118,576 28
Circulation	67,955	Domestic Bills and due from
Due to Sundry Banks	3,815 51	other Banks 62,143 80.
Dividends unpaid	1,273 40	Bills receivable 1,626
Profit and Loss &c.	3,026 91	Vermont Safety Fund 631 25.
Due Depositors	16,219 48	Real Estate 2,480
		Expense ac't. 78
		Specie and Bills of other
		Banks 11,754 90
August 1, 1837,	197,290 30	197,290 30



BANK OF MANCHESTER.			
Capital Stock	70,000	Notes Discounted	156,086 97
Circulation	102,644	Specie, Bills of other Bks.	
Dividends unpaid	1,691 76	Deposited in Boston, N.	
Discounts rec'd and Balance		York and Troy	16,146 74
of Profit and Loss	731 36	Real Estate	1,725
		Balance of Book	1,108 41
August 1, 1837,	175,067 12		175,067 12

BANK OF NEWBURY.			
Capital Stock	50,000	Notes Discounted	71,108 82
Bills in Circulation	67,840	Due on Book	14,558 94
Due Depositors	11,347 32	Funds in Boston	36,093 67
		do in Suffolk Bank	3,000
		Specie, Bills of other Bks	3,483 82
		Safety Fund	1,273 96
		Bank house	1,927 94
August 9, 1837,	129,187 32		131,747 15

BANK OF WOODSTOCK.			
Capital Stock	50,000	Notes Discounted	170,747 58
Bills in Circulation	89,933	Specie, Bills of other Bks	5,487
Due Depositors	12,666 07	Banking house	3,000
do Suffolk	25,171 90		
Sept. 25, 1837,	177,770 97		179,234 58

BANK OF BELLOWS FALLS.			
Capital Stock	50,000	Specie	6,121 63
Bills in Circulation	93,392	Bills of other Banks	372
Due Depositors	18,752 40	Deposit in Market Bk	44,303 56
Unpaid Dividends	3,788	do Suffolk	3,000
Due Safety Fund	910 42	do Farmers Bk Troy	234 83
		Notes Discounted	99,725 76
		Drafts do	14,273 70
		Due on account	5,875 66
		Real Estate	1,700
Oct. 2d, 1837,	166,822 82		175,607 14

ESSEX BANK.			
Capital Stock	20,000	Notes dis. & due on book	75,317 05
Due Depositors	22,848 43	Deposits and due from oth-	
Bills in Circulation	45,352	er Banks	11,268 41
Profit and Loss	12,001 86	Foreign Bills and Specie	1,083 33
		Uncurrent and counterfeit	
		Bills	65 50
		Safety Fund	525
		Personal property and expense	
		account	1,943
August 1st 1837,	90,202 29		90,202 29

*The following table shows, in separate columns, the amount of bills in circulation of each Bank, specie, bills of other*

*Banks and funds deposited and debts due the several Banks, in the years 1836 and 1837.*

Name of Banks.	Bills in circulation.		Specie, Bills of other Banks, &c. on hand.		Debts due to the Banks.	
	1836	1837	1836	1837	1836	1837
Bellows Falls	119,376	93,392	36,279 14	54,032 02	144,843 49	119,875 12
Essex	32,115	45,352	8,059 40	12,351 74	42,887 23	75,317 05
Farmers'	123,608	55,926	33,954 69	34,851 20	162,230 52	83,656 78
Farmers & Mechanics'	106,519	67,955	51,272 02	71,668 47	183,511 03	118,576 28
Manchester	106,729	102,644	52,099 74	16,146 74	140,259 77	156,086 97
Middlebury	111,667	58,624	58,208 58	31,991 04	125,065 61	47,337 05
Newbury	119,487	67,840	53,344 10	42,877 49	122,584 71	85,667 76
Orleans	48,281	41,170	21,556 00	18,657 00	57,438 39	53,913 00
Woodstock	130,613	89,933	42,010 02	5,487 00	185,891 07	170,767 58
	\$898,395	\$622,836	\$356,783 69	\$288,062 70	1,164,711 82	\$961,177 59

From the foregoing statements it will be seen that the nine Banks which have been examined, have diminished their circulation since the examination of 1836, to the amount of \$275,489, and that their means for the redemption of their Bills, are likewise reduced; but not to the same amount; consequently, their liabilities are less in proportion to their ability to pay now, than at the time above mentioned.

It appears from enquiring of the officers of the banks, that they all, professedly suspended specie payments, on, or near the 15th day of May last; but at the same time it appears, that they have been in the habit of paying small sums, for the purpose of accommodation; and some banks have redeemed more bills since the suspension, than they had been requested to do, on an average, in any equal length of time, previous.

The uniform reason given by officers of the banks, for suspending has been, that it was in consequence of the suspension of specie payments by the city banks. Most of the banks in Vermont, having large deposits in the cities, could not avail themselves of their funds there, to redeem their bills at home; but the bills of all those Vermont banks, having deposits in the Cities, are convertible, at any time, into the bills of the City banks, which keeps them at par, in the market.

The reason assigned for the suspension, appears to the commissioners to be well founded, as it could not be expected for a moment, that our small banks, averaging a capital of only \$100,000 each, could continue to redeem their bills with specie, while the city banks, with a capital of millions, refused to redeem theirs.

The Commissioners are satisfied from the manner in which the banks have been conducted by those having the management of them, that they intend, and eventually will, redeem all their bills in circulation. In most cases, it appears that the Directors have offered, and in many cases have given security for the payment of the liabilities of the banks, in their individual capacity; and have thereby assumed a responsibility which the law does not require.

The 18th Section of the act passed the 9th day of November, 1831, entitled "an act regulating the chartering of banks," makes it imperative on the bank Commissioners, upon certain contingencies therein named, to apply to a Chancellor, for an injunction; but by the 22d Section of the same act, it is left discretionary with them, in case of the suspension of specie payment for the space of sixty days to do it or not, as they may deem expedient. The Commissioners have not deemed it their duty, under existing circumstances, to make any application to a Chancellor,—although all the banks under their supervision, are liable to be proceeded against, for a violation of their charters, for refusing to redeem their bills in specie.

In coming to the above conclusion, the Commissioners have been influenced, not only by the honorable conduct of the officers of the banks; but they have also taken into consideration, the existing requirements of the laws; to wit, the security of the safety fund, and also the bonds required to be executed to the State Treasurer, by each director of the banks, in the sum of \$8,000, which last mentioned security amounts generally to the sum of \$56,000, and in no case to a less sum than \$40,000 to each bank; which, it will be perceived, is more than one half, and in some cases about equal to the whole sum, in which the banks are liable to the public. In addition to this, the public are secured by the capital stock paid in and debts due the Banks.

The Commissioners are not aware that any of the Banks inspected by them, have been guilty of any violation of their charters, in any other

respect, than that of suspending the redemption of their bills in specie; and from the examination very minutely entered into, they are satisfied of the ability of all the Banks, to meet all their liabilities, unless the most wealthy and business part of community should become involved in general bankruptcy and ruin.

It having been suggested to the Commissioners, that a great share of the loans made by the banks, had been made to the Directors—and in large sums, so that others, wishing for Bank accommodations, in small amounts, could not be accommodated; we have been induced to make a particular examination relative to these charges; and are prepared to bear testimony to the injustice of the allegations,—as at all the banks examined by us, except two, the proportion of debts due from the Directors, is extremely small;—and at the other two, perhaps the Directors have received no greater facilities, than might reasonably be expected, were they not members of the board; and a large proportion of notes due the banks, are given for sums varying from fifty to three hundred dollars each.

Another charge equally without foundation in truth, is that the payment of a large amount due the banks, is secured in no other manner than by a pledge of Bank Stock; whereas the facts are, that at five of the Banks embraced in this report, having due them more than \$500,000, we find only the sum of \$6,207.50 thus secured; and at the other Banks the enquiry was forgotten to be entered into.

The Commissioners are aware, that under the existing laws, the Banks cannot be proceeded against, in so full and ample a manner, by those holding their notes, as may be done by one individual against another; but whether any other, and additional security, ought to be provided by law, the Commissioners are not fully agreed; but submit that question to the wisdom of the Legislature.

The Bank of Brattleborough, which it was the duty of the Commissioners to inspect, is not included in this report. The Commissioner to whom this duty was assigned, the undersigned Commissioners have been very recently informed, was prevented from making the inspection in consequence of sickness. That Bank will be immediately inspected, and a report made of its condition.

All which is respectfully submitted.

HARRY HALE, } Bank  
ALMON WARNER, } Commissioners.

Montpelier, October 12th, 1837.

*To his Excellency, the Governor :*

The following statement shows the condition of the Bank of Brattleboro' which was not included in our Report of the 12th inst. for the reasons therein stated.

Stock paid in	75,000	Notes Discounted	130,236 98
Deposits	26,807 57	Funds in Boston, Troy	
Profits and Loss	3,765 37	and other Cities	52,540 26
Bills in Circulation	96,362	Bills of other Banks	2,930
		Specie	13,808 21
		Banking house	2,418 47
Sept. 4, 1837.	201,933 92		201,933 92

HARRY HALE, } Bank Commis-  
A. WARNER, } sioners.

Montpelier, October 14, 1837.

### State Prison.

*To his Excellency, Silas H. Jenison, Governor of the State of Vermont.*

The Superintendent of the Vermont State prison respectfully submits to your Excellency the following statement of the transactions of the prison during the year ending September 30th, 1837.

The subscriber, during the winter last past, and until the 22d of March 1837, continued the same labors with the convicts under the contract as reported by the Superintendent to the General Assembly, at their session in October 1836, and the result of said labors will show, by the exhibit hereunto annexed, that it was sufficient to meet the ordinary expenses during that period; that is, from 1st October 1836, to March 22d, 1837.

In accordance with an act passed by the General Assembly at their last session, authorizing the Superintendent of the prison, connected with the Judges of Windsor County Court, to lease or let out the convicts' labour for a term of three years to any person or persons who would obligate themselves to defray all expenses necessary for the maintenance of said prison; the subscriber respectfully reports, that agreeably to said act, public notice, for sixty days, was given to receive proposals for said lease, and that on the 22d day of March last, a contract was completed, agreeably to the law passed for that purpose, with Mr. Isaac W. Hubbard of Windsor, and a copy of said contract is lodged in the State Treasurer's office. Since that time, industry on the part of the prisoners has been sustained, and good feeling and harmony manifested in every particular, between the officers of the prison and the contractor.

Previous to leasing out the prison, as well as since that time, the subscriber has endeavored as far as practicable to settle up the concerns of the prison, the outstanding claims in favor, as well as the amounts against the Institution; but the very great embarrassments which our State and country are experiencing in their business and monied concerns, has had such an influence on the mechanical operations of our State prison, as to have made it almost impossible to collect payment or make sales of property to realize cash from, without such sacrifices in prices as I believed it my duty not to make on State prison property.

Owing to Mr. I. W. Hubbard being an equal owner with the State in the engine shop, and which has formerly been conducted with him jointly, it was necessary for him, upon taking the lease of the whole concerns, to purchase that part of the property which belonged to the State, which was effected on appraisal of the property made and taken by Carlos Coolidge and Charles Dudley, Esqs. to the acceptance of both parties. There is yet on hand, stock and tools belonging to the Carriage Shop; but the times have been such, I have not felt warranted in forcing sales of the property, when it cannot be expected to raise one third of its value by so doing.

Not having had the satisfaction of meeting a committee to appraise and inventory the State Prison property, as has heretofore been usual, the subscriber would respectfully remark to your Excellency, that, as to the mere duty of appraisal and inventory of prison property very little is to be done under its present arrangements, owing to the circumstance that a large proportion of said property was disposed of to I. W. Hubbard, the present contractor, in March last. The residue now on hand, (a careful inventory of which has been made,) with the outstanding

debts of the Institution, for and against the prison, is ready for the examination of your Excellency agreeably to your direction.

Permit me to remark in closing this report, that there are ample means within the control of the Superintendent of the prison, belonging to State prison property, to meet and cancel all claims against the Institution; but it is necessary that time be had to accomplish it, and until a relief is experienced in the collecting of debts in money concerns, the advance for a final collection and full settlement of its concerns must be protracted.

Which is respectfully submitted by  
JOHN H. COTTON, Supt. V. S. P.

Montpelier, Oct. 12, 1837.

Exhibit of expenses and amounts from labour received at Vermont State Prison, from 1st October, 1836, to March 22d, 1837.

PROVISION DEPARTMENT.

Amount of provisions on hand 1st Oct. 1836,	\$520 75	
Purchased since	3,429 84	
	3,950 59	
Sold hides and other articles belonging to this department	2,458 96	
Leaving the expense for provision department		\$1,491 63

HOSPITAL DEPARTMENT.

Medicines and stores on hand 1st Oct. 1836	\$123 47	
Purchases since, after deducting Dr. Phelps account	77 35	
	200 82	
Medicines appraised and sold I. W. Hubbard	76 14	
Expense of this department		\$124 68

CLOTHING AND BEDDING.

Clothing and bedding on hand Oct. 1, 1836,	\$940 87	
Purchased since	252 75	
	1,193 62	
Deduct for less appraisal on 22d March, 1837	448 11	
Inventoried to I. W. Hubbard 22d March,	495 00	
	943 11	
Leaving expense of this department		\$250 51

FUEL DEPARTMENT.

Wood and coal on hand, Oct. 1, 1836	\$318	
Purchased since	413 52	
	731 52	
Deduct for wood, sold I. W. Hubbard,	369 37	
Expended in this department,		352 15

PAY ACCOUNT.

Salaries of Superintendent, Chaplain, Shop Keepers and Guards,	\$1,333 00	
Bill of Warden, repairs and contingent account	310 51	
		\$3,861 38

Oct. 1, 1836, to 22d March 1837.

Receipts for labour of convicts--Contract account.

For labour of prisoners as allowed on settlement			
		with N. Kendall & Co.	\$1,105 62
For	"	Engine Co.	616 39
For	"	Pliney Gay & Co.	113 68
For	"	I. Forbush & Co.	1,714 42
For	"	done in Engine shop from Oct. 1, 1836	
		to 22d March, including advanced pay	
		on convicts' work, &c.	\$684 32
		one half State property	342 16
			342 16
			\$3,892 57

Errors excepted,

JOHN H. COTTON, Supt. V. S. P.

GENERAL EXHIBIT.

Oct. 1, 1836.

For property on hand excepting Book debts, and	
notes, after deducting half amount of Engine	
Co's. Stock and Tools,	\$11,679 24
Book debts, deducting suspended accounts,	13,495 82
Notes	985 00
	\$26,160 06

Oct. 1, 1837.

By amount of property in State Prison excepting book	
debts on 30th Sept. 1837,	\$7171 50
Book debts, in favor of State,	6865 68
Notes do	1935 15
" debts less this year against State Prison than last	
year, including payment made for officers for the	
previous year,	3,950 00
" appraisal less on property sold by Superintendent to	
sundry persons, viz. Engine Co. property	1,105 02
" Coopers Shop	26 02
" Clothing and bedding	548 11
" pay account of officers for 1837, from the	
1st Oct. 1836 to the 22d March 1837,	1,333 00
" bill of expenses in Warden, contingent and	
Store expenses,	945 35
" amounts allowed against Prison on settlement,	
previous to the last year's report,	1,987 62
	\$25,867 45

Errors excepted,

JOHN H. COTTON, Supt. V. S. P.

Montpelier, Oct. 12, 1837.

The account of B. F. McFarland, was referred to the committee of claims.

The House adjourned.

AFTERNOON.

House met pursuant to adjournment.

The select committee, on the bill entitled "an act to settle the boundary line between Elmire and Worcester," were discharged from the further consideration of the bill entitled "an act to settle town and county lines," and the bill was referred to the general committee.

The bill from the Senate entitled "an act establishing the flag of this state,"

Was read the third time and passed.

The judiciary committee on the bill entitled "an act in addition to an act establishing probate courts, &c."

Reported the same ought not to pass, and the bill was dismissed.

Engrossed bills of the following titles, were severally read the third time and passed.

"An act for the relief of Nathan Danforth."

"An act altering the name of Betsey Fling."

"An act for the relief of Silas B. Webster."

The petition for a land tax on Duxbury, was referred to the land tax committee.

The petition of Harrison Bancroft, was referred to the committee on claims.

Mr. Webster, on leave, introduced a bill entitled "an act to locate the county buildings in the county of Franklin."

On motion of Mr. Smith of St. Albans, the report of the committee appointed by the act of the last session of the legislature, upon the same subject, was read, and the bill introduced by Mr. Webster was ordered to be laid on the table.

A message from the Senate, by Mr. Weston, their assistant secretary :

MR. SPEAKER : The Senate have passed bills of the following titles.

"An act in relation to the discharge of mortgage deeds," and "an act in addition to an act to incorporate the village of Brattleboro," to which they ask the concurrence of the House of Representatives.

Mr. Colby, on leave, introduced a bill entitled "an act in relation to bills of sale,"

Which was read once and referred to the judiciary committee.

The committee of claims, on the account of L. Brainard, reported the same ought not to be allowed.

The bill from the Senate entitled "an act in relation to mortgage deeds,"

Was read twice and referred to the judiciary committee.

The bill from the Senate entitled "an act in addition to an act to incorporate the village of Brattleboro,"

Was read twice and referred to the general committee.



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Mr. Field of Jericho introduced the following resolution :

*Resolved*, That the committee on military affairs, be directed to enquire into the expediency of so altering and amending the militia law, that all able bodied men, between eighteen and forty-five years, shall be liable to do military duty, or pay a just requirement in lieu of that duty, and report by bill or otherwise.

Which was read and passed.

The House adjourned.

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FRIDAY, OCTOBER 20, 1837.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Kelley.

The journal of yesterday was read.

Mr. Dewey, on leave, introduced a bill entitled "an act laying a tax on Goshen Gore, near Wenlock,"

Which was referred to the land tax committee.

Mr. Beckett, on leave, introduced a bill entitled "an act to repeal an act therein mentioned,"

Which was read once and referred to the general committee.

Mr. Richardson, on leave, introduced a bill entitled "an act in addition to an act reducing into one the several acts for laying out, making, repairing and clearing highways,"

Which was read once, and referred to the committee on roads and canals.

The judiciary committee were discharged from further consideration of the petition of Alexander Johnson, and the petition was referred to the committee of claims.

The judiciary committee on the bill entitled "an act to repeal an act therein mentioned,"

Reported the same ought not to pass.

The report was read and concurred in, and the bill was dismissed.

The same committee, on the bill entitled "an act to repeal part of an act therein mentioned,"

Reported the same ought not to pass.

The report was read and concurred in, and the bill was dismissed.

The same committee, on the bill entitled "an act in relation to justices of the peace,"

Reported the same ought not to pass.

The report was read and concurred in, and the bill was dismissed.

• The same committee, on the bill entitled "an act in relation to probate courts,"

Reported the same ought not to pass.

The report was read, and the bill was ordered to be laid on the table.

A message from the Senate, by Mr Weston, their assistant secretary :

MR. SPEAKER : The Senate do not concur, with the House of Representatives, in passing the resolution for a joint assembly, for the purpose of electing a treasurer of the state."

Mr. Brown of Worcester, on leave, introduced a bill entitled "an act to repeal an act entitled an act for the benefit of common schools,"

Which was once read, and referred to the committee of ways and means.

The judiciary committee, on the bill entitled "an act in addition to an act extending the jurisdiction of constables,"

Reported the same ought not to pass.

The report was read, and concurred in, and the bill was dismissed.

The judiciary committee, on the bill entitled "an act in relation to issuing executions," reported that the bill ought to be amended by striking out the second section, and by inserting a new section, and being so amended, ought to pass.

The report was read and concurred in, the bill amended, as proposed by the committee, read the second time as amended, and ordered to be engrossed, and read the third time to-morrow morning.

The committee on education, on the bills entitled "an act in addition to an act incorporating the Norwich University," and

"An act in relation to common schools,"

Reported that they severally ought to pass.

The reports were read and concurred in, the bills were severally read the second time, and ordered to be engrossed and read the third time to-morrow morning.

The same committee, on the bill entitled "an act in addition to an act to provide for the support of common schools,"

Reported the same ought not to pass.

The report was read and concurred in, and the bill was dismissed.

A message from the Senate, by Mr. Williams, their secretary :

MR. SPEAKER : The Senate concur with the House, in passing the bill entitled "an act for the relief of Nathan Danforth."

Also in passing a resolution for a joint assembly to elect a bank commissioner, and bank inspector, with a proposed amendment.

The committee of insolvency, on the resolutions relating to jail yards, and relating to imprisonment for debt, made the following

## REPORT:

*To the Hon. the House of Representatives now in Session :*

YOUR committee to whom was referred the resolutions, one, to enquire into the expediency of abolishing imprisonment for debt, the other to enquire into the expediency of extending the limits of the several jail yards in this state to the limits of the counties in which they are severally located,

Beg leave to report, that they have had the same under consideration and have come to the following conclusions and results : first, that imprisonment for debt, unaccompanied by fraud, ought immediately to be abolished, and that the several jail yards in this state ought to be extended to the entire limits of the counties in which they are situated ;

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for we conceive that the progress of the law with regard to imprisonment for debt, is a striking practical illustration of a false and dangerous principle, introduced into the law by fictions and devices of courts, and specious but delusive arguments addressed to the legislative power. At common law, a writ of summons was the mode of proceeding in prosecuting all private injuries, unaccompanied by force. The unjust and oppressive system of imprisoning a man's body on the issuing of a writ without the least evidence of indebtedness, can by no means be charged upon the common law, or civil law, to which the common law is indebted for many of its most important provisions. The arresting the body for injuries unaccompanied with force, was first allowed in actions of account only, by the Statute, 52d, Henry III, chap. 23. Soon after, a practice was introduced by the *bar* of suing out a writ declaring in trespass on the freeho'd, which, being a private injury, subjected the defendant's person to attachment, and afterwards by the connivance of the courts the defendant being thus imprisoned on a fictitious claim, the plaintiff was permitted to proceed to declare on his real claim, either in debt or other appropriate action. But the power, which inflicted this odious feature on the common law, was very careful not to have it extended to itself. And in England, peers of the realm, members of parliament & attorneys, were free from arrest for debt, nor was the body of the debtor at common law, liable to be imprisoned for debt on final execution. But the practice was gradually introduced by first permitting it in particular forms of proceedings, for the alleged benefit of trade as it was speciously pretended, and it was gradually, and almost imperceptibly extended to every species and form of action; but aside from precedent or the practice of other countries, how does the question stand upon principle? The right of the creditor to take the property of the debtor for the payment of the debt, seems to be founded in natural justice. If the debtor neglects or refuses to convert his property into money, which is the standard of value, the creditor is permitted by law to do merely what the debtor might and ought to have done.

Credit is principally founded on property or the confidence reposed in the debtor that his property will be used for the payment of the debt.—The common consent of mankind, in all ages and countries, seems to attest not only to the propriety of the principle, but that it is too self evident to admit of question. But the property being exhausted, where is the right to imprison the body? Not on the ground that it is property, for if it was, it should be converted into money and thus pay the debt; not on the ground that it is a crime to owe a debt without having property sufficient to pay; for if it were a crime, it should be punished as such, and the measure of the punishment should be clearly pointed out. The only ground on which those in favor of imprisonment for debt attempt to defend it is, that the imprisonment is designed only to secure the debtor and make him bring forward his property for the purpose of the payment of the debt; our own law, by providing that when the debtor shows himself destitute of property he shall be discharged, establishes, or at least encourages the principle, that the right to imprison the honest debtor, who has neither transferred, nor concealed his property, does not exist. But if he has fraudulently transferred, or if he withholds his property, that being a crime against morality and natural justice, he should be punished for it, and it is believed that the laws now in force are adequate to all exigencies which might be supposed to

happen or exist. Notwithstanding our laws clearly show that inability to pay a debt is not in itself criminal, yet with singular inconsistency, they permit the creditor first to imprison him before any evidence whatever is exhibited of the existence of the debt, and after the debt is proved and a judgment is rendered, the law, presuming the debtor to be a rogue, permits the creditor to imprison him until he can prove his innocence.

That a law so utterly subversive of the first principles of justice should be so long sustained by a free people, jealous of their liberty, is a striking evidence of the effect of habits and the difficulty of counteracting the most erroneous principles, when once sanctioned by the usages of a people and hallowed by time. If the principle then be correct, that imprisonment for debt cannot be justified except as a punishment in cases of fraudulent and improper conduct on the part of the debtor, it follows conclusively, before proceeding to inflict the punishment, some evidence must be furnished of the commission of the crime. Hence it follows, that proof of the criminal conduct of the debtor is indispensable to lay the foundation of the right to imprison the body; and if the principle is so, our laws, then, upon that subject, are manifestly unjust and oppressive, and cannot be sustained by any loose notions of expediency; for an unjust law never was and never can be expedient. For the same reason that it is not expedient that an individual should be unjust, it is not expedient that a government should be unjust.

The friends of reform might perhaps with reason and propriety take their stand upon the ground of principle, and decline discussing the policy of laws in opposition to principles of natural justice. But the committee believe that a full examination will demonstrate that the system of imprisonment for debt is as impolitic as it is unjust. Looking at the subject as a mere question of policy, without respect to principle, it manifestly depends upon the operation of the system upon the debtor, upon the creditor, and upon the public. One great object of a free government being to elevate the mass of the people, the arm of the law should never treat the person of a citizen in a manner to produce self degradation, except from necessity, for actual crime. Personal restraint is in itself so odious to the human mind, that it is sufficiently humiliating. But so long as jails and dungeons are the common receptacles of rogues and felons, the public mind will affix to the case of confinement within their walls, a sense of guilt, and consequently, degradation.— Experience conclusively proves, that loss of public or self respect, or the sense of having forfeited the good opinion of others, and fallen from our position in society, is in its consequences, most deplorable. If it does not lead to crime, it effectually chills the aspirations of hope, withers the courage and crushes the energies of the soul. While the present law is wholly ineffectual to reach the debtor, who with sufficient means, fraudulently refuses to pay, it is an iron yoke to the laborious, but often improvident poor; tempted to buy what perhaps he does not need, he is dragged like a felon from his wife and children, and thrown into a dungeon, from which he may, indeed, in a few days or weeks, escape, upon paying a few dollars in shape of fees. But it is said, without this law, the poorer classes cannot obtain credit, and without credit they would suffer. Credit may do for the merchant, manufacturer, and man of wealth, but credit is the bane of the poor; if he cannot live without any considerable credit he cannot live at all. If he buys on credit, he pays from 10 to 20 per cent. more for the article he purchases,

than he would pay if he bought for ready money. In addition to this, he is constantly seduced, either by his own mind or the suggestions of others, to buy what he does not really need. Among those who are wealthy, the man who buys only for ready money, buys much more cautiously than the man who deals principally on credit. So long as the poor man is free from debt, he entertains a feeling of independence which is calculated to foster sober and industrious habits, and lead to that rigid economy which, combined with steady industry, ensures a competence. So intimately connected are the true interests of the debtor and creditor, that the interest of one will be found to be the interest of the other. If, as is said, the abolishing imprisonment for debt lessens the amount of credit, it lessens also the amount of losses suffered in consequence of failing to pay. For losses will invariably be found to be commensurate with the extent of credit. Much valuable time will be saved that is now spent in looking after debts that are hopeless; and much useless cost will be prevented and saved. It will be conceded by all, that every reasonable and proper guard should be provided for the security of the creditor against the frauds of the unprincipled and swindling debtor; and if the laws in force at present should be found not to be sufficiently secure, more forcible ones and adapted better to the exigencies of the case should be enacted.

But aside from considerations which affect the debtor and creditor as such, the public have a deep interest on the subject. The resources and wealth of the country are based upon the labor of individuals; withdraw the labor, and you dry up those resources and exhaust what is actually accumulated; every hindrance to the hand of labor is an injury to the community; his loss of time is a much more considerable item than might be at first imagined. When the debtor actually escapes a jail, much valuable time is spent on the part of the debtor and his compassionate neighbors, to produce such a result. When once committed, his family are often distressed, and discouraged, and unfitted for any vigorous exertion; or if they are more resolute and have courage to struggle on, yet their days are consumed in endeavoring to obtain liberty for a husband or a father.

In England, when a creditor drives his debtor to jail, he is compelled to pay for his board while in confinement. We, more generous, make the town or state pay for the debtor's board, so as to make sure or render it more certain, that the keen edge of the creditor's revenge shall not be blunted by his avarice. In one instance an individual was confined for years, in the jail in Addison county, at the suit of individuals residing in Canada, and the board of the debtor was paid by the state, the debtor not having any legal settlement in any town in this state. A system, the injustice of which so shocks the conscience and feelings, the impolicy of which opposes the reason of a virtuous and reflecting people, cannot be destined to endure.

Believing that the plainest principles of justice are in this case enforced by the highest considerations of policy, your committee respectfully recommend that imprisonment for debt, except in cases of fraud, be immediately abolished; and report the accompanying bills.

Your committee believe that as the law now is in relation to the limits of the several jail yards in this state, its operations and effects are partial, unjust and oppressive. Their extent being only one square mile, or the *area* of which is equivalent only to one square mile, thereby confers privileges upon those individuals who reside therein and are

confined within the limits, by the severe operation of our laws, to the exclusion of all persons, who may happen to be subject to the same misfortune, residing in other parts of the county; besides, some of the jails in this state are situated at the extreme part of the town, at some miles distant from where town and freemen's meetings are held, thereby virtually disfranchising, in relation to the right of suffrage, all those persons who may be confined therein; and it is not to be disguised that many individuals in this state have been and are now under the ban and keen ire of our present laws in that respect, who are not only of the first respectability, both as to talents and good morals, but who have done much and been firm supporters of our liberties and laws. Besides, your committee are of opinion that so far as the rights and interest of the creditor are concerned, it would be much better if the jail limits were extended to the whole county. If any benefits could arise to the creditor in compelling the debtor to remain in the county where he could see him, and where the debtor might be in a situation to devise means to pay the debt and go whither he would, the extension of the jail limits, therefore, would be, in the estimation of your committee, not only expedient but altogether to be desired.

Your committee, therefore, also believe that the several jail yards ought to be enlarged, so as to extend to the whole limits of the counties in which they are situated; and for that purpose report the following bill.

#### HORATIO NEEDHAM, for Committee.

The same committee also reported the following entitled bills:

"An act abolishing imprisonment for debt,"

"An act in relation to and extending the limits of jail yards in this state," and

"An act in addition to, and alteration of an act, entitled an act, directing the proceedings against the trustees of concealed or absconding debtors, passed Oct. 31st, 1797."

The report together with the bills, was ordered to be laid on the table, and three hundred copies of the report and the bills were ordered to be printed.

The amendment proposed to the resolution by the Senate, for electing a bank inspector and bank commissioner, was concurred in by the House.

The following engrossed bills were severally read the third time and passed:

"An act in addition to the distribution act,"

"An act in addition to an act for the distribution of laws, &c.,"

"An act annexing part of the town of Canaan to the town of Lemington," and

"An act directing the treasurer to pay John T. Wiggin," &c.

The bill entitled "an act relating to the state house,"

Was read the third time.

Mr. Partridge moved to postpone the bill to the first of January next,

And on the vote being taken, it was determined in the negative.

And on the question, Shall the bill pass? it was determined in the affirmative.

The committee on insolvency, on the bill entitled "an act relating to

assignments," reported that the blank in the bill should be filled with the word "fifteen," and being so filled, ought to pass.

The report was read and concurred in, the blank was filled as proposed by the committee, and the bill, on motion of Mr. Kittridge, was ordered to be laid on the table, and made the order of the day for to-morrow morning.

The land tax committee made the following reports :

On the bill entitled "an act to revive an act laying a tax on Elmore,"

That the bill ought to be amended and pass.

The report was read and concurred in.

The bill was amended as proposed, read the second time, and ordered to be engrossed and read the third time.

On the petition of inhabitants of Brunswick, that the prayer ought to be granted, and a bill entitled "an act laying a tax on the lands in Brunswick."

The report was read and concurred in, the bill read twice, and ordered to be engrossed and read the third time.

On motion of Mr. Dewey, the vote ordering that the bill entitled "an act in relation to common schools," should be engrossed and read the third time, was reconsidered and the bill was recommitted to the committee on education.

The petition of twenty-four inhabitants of Warren was referred to the select committee on the Rutland memorial.

Mr. Dee called up the resolution, declaring that the Legislature do not possess the power to interdict the making and vending ardent spirits,

And the resolution was again ordered to be laid on the table.

Mr. Vilas from the committee on bills, reported to the House that the following bills had this day been presented to the Governor for his approbation and signature :

"An act for the relief of Nathan Danforth," and

"An act establishing the flag of this state."

The House adjourned.

#### AFTERNOON.

House met pursuant to adjournment.

The petition of Harvey Ainsworth and others, and

The petition of Joseph Beeman,

Were severally referred to the committee of Claims.

The land tax committee, on the petition of William Washburn and others,

Reported the prayer ought to be granted,

And also, a bill entitled "an act laying a tax on Wenlock."

The report was read and concurred in.

The bill read once and amended, by striking out the words "John Stevens" and inserting *James Cory* in their stead, read the second time as amended, and ordered to be engrossed and read the third time.

Mr. Peck introduced the following resolution :

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of extending the time, within which new trials may be granted, for the discovery of new evidence, and report by bill or otherwise.

Which was read and passed.

Mr. Miner introduced the following resolution :

*Resolved*, That the general committee be instructed to enquire into the expediency of so altering or extending the law relating to the laying out and establishing roads by county committees, that town committees which are interested in the benefit of such roads and petitions, who shall petition for such roads, shall be liable to pay a part of the expenses in building the same, and report by bill or otherwise.

Which was read and passed.

Mr. Town of Mansfield introduced the following resolution :

*Resolved*, by the House of Representatives the Senate concurring herein, that the Governor be requested to appoint Thursday the 7th day of December next, to be observed as a day of public thanksgiving and prayer throughout this state.

Which was read and passed.

Mr. Brewster, on leave, introduced a bill entitled "an act relating to the grand list of the town of Newhaven,"

Which was read once and referred to the select committee, to equalize the grand list.

Mr. Snyder introduced the following resolution :

*Resolved*, the Senate concurring herein, that our Senators in Congress be instructed, and our Representatives be requested, to use their influence to procure the passage of a law authorising the payment of the militia of this state for their services rendered prior to, and at the battle of Plattsburgh, in the state of New York, during the late war with Great Britain.

Which was read and passed.

Mr. Dewey introduced the following resolution :

*Resolved*, the Honorable Senate concurring herein, that the committee to make up the grand list, be authorised and directed, to allow in, or deduct thirty-four militia polls from the grand list of the town of Guildhall.

Which was read and referred to the committee on the grand list.

The memorial of William J. Seymour and forty-three others, and

The memorial of Dan Day and thirty-four others,

Were severally referred to the committee on the Rutland memorial.

The vote passing the resolution relating to the appointment of thanksgiving, on motion of Mr. Allen of Westminster, was reconsidered, and the resolution was ordered to be laid on the table.

The committee on military affairs, on the resolution relating to the exempts from military duty, reported the following resolution :

*Resolved*, That all free male citizens, between the ages of 18 and 45 years, except such as have done active military duty under commission, for the term of four years, and having been honorably discharged from



the same, and ministers of the gospel, ought to be liable to do military duty, or pay a just equivalent in lieu thereof.

Mr. Townsley proposed to amend by erasing "forty-five," and inserting "forty,"

And on the question shall the proposed amendment be adopted? it was determined in the negative.

Mr. Dee proposed to amend by adding the word "white" before the word "citizen,"

And on the question, shall the proposed amendment be adopted? it was determined in the negative.

Mr. Field of Wilmington, proposed to amend by striking out "ministers of the gospel,"

And on the question, shall the proposed amendment be adopted? it was determined in the negative.

And on the question, shall the resolution pass? the yeas and nays were demanded, and were as follows:

Those who voted in the affirmative are Messrs.

Adams of Westhaven	Cory	Hartwell
Allen of Irasburgh	Crowley	Harvey
Allen of Westminster	Cummings	Hastings
Ames	Culver	Hayward
Appleton	Currier	Hazeltine
Ashley	Darling	Hewes
Atkins	Davis	Hicks
Averill	Dawson	Hill
Bacon	Dee	Holden
Bailey	Dewey	Hopkinson
Baldwin	Dillingham	Howe of Lunenburg
Ballard	Drake	Howe of Vernon
Barr	Duncan	Hulett
Bebee	Eaton of Granville	Huntoon
Belden	Eaton of Stockbridge	Hutchinson
Bingham	Edgerton	Jackman
Bloomer	Elliot	Ketchum
Boutell	Ellsworth	Kidder
Briggs	Emery	Leonard
Brigham	Everts	Lockwood
Brown of Eden	Farman	Manning
Brownell	Farnham	Mason
Buck	Farrington of Brandon	Martin
Bucklin	Farrington of Walden	May
Bushnell	Field of Benson	McLaughlin
Butler	Field of Chester	McMillan
Cady	Field of Jerico	Moore of Fairlee
Capron	Foster	Moore of Newport
Cardell	Fullam	Morrill
Carpenter of Moretown	Gibson	Needham
Clark	Gillett	Nelson of Ryegate
Coggswell	Goodrich of Alburgh	Nelson of Wheelock
Cole	Haggood	Paige
Colton	Hardy	Palmer

Parker of Underhill	Robbins	Tyler
Partridge	Robinson	Vilas
Paul	Samson	Vincent
Peck	Sears of Morristown	Walker
Pennock	Seaver	Warner
Pierce	Seymour	Westover
Pineo	Smith of Fairfield	Wheelock
Pond	Smith of Sheffield	Wheeler
Potter	Stevens of Essex	Wiley of Weston
Raymond	Stevens of Newbury	Winchester
Rice	Town of Mansfield	Winslow
Rich of Maidstone	Town of Woodbury	Wood of Springfield
Rich of Shoreham	Townsley	Wood of Westford-143,
Richardson	Trull	
Richmond		

Those who voted in the negative are Messrs.

Adams of Brookline	Corbin	Lawrence
Adams of Grand Isle	Corliss	Miner
Atwood	Field of Wilmington	Moulton
Baker	Fisk	Parker of Bradford
Barber	Flagg	Peabody
Bemis	Flint	Pope
Blodgett	Foot	Rockwell
Bond	Goodrich of Hardwick	Safford
Bowman	Harmon	Scott
Brewster	Harwood	Sears of Richford
Brown of Goshen	Hewett of Charlotte	Snyder
Brown of Worcester	Hewett of Pomfret	Town of Somerset
Bullock	Hinman	Tracy
Burgess	Houghton	Wilson
Byington	Hovey	Woodbury of Baltimore
Carpenter of Ferrisburg	Keith	Woodbury of Bethel
Church	Kinsley	Worden-54.
Cady	Kittredge	

So it was determined in the affirmative.

The report of the Superintendent of the State House, and

The report of the Treasurer of the State,

Were severally taken up, and referred to the committee of ways and means.

Mr. Tracy introduced the following resolution :

*Resolved*, The Senate concurring herein, that the auditor of accounts against the state, be authorized to settle and adjust the account of the Superintendent of the State House, for the past year,

Which was read and passed.

The House adjourned.

SATURDAY, OCTOBER 21, 1837.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Kellogg.

The journal of yesterday was read.

Mr. Hazleton introduced the following resolution :

Whereas, the science of Agriculture has been too much neglected in this state, and that suitable aid and encouragement may be given to further agricultural pursuits, therefore

*Resolved*, That the committee on agriculture be directed to enquire into the expediency of forming a state agricultural society, or county societies, or of offering premiums for various kinds of agricultural productions, for the purpose of promoting the farming interest, and report by bill or otherwise,

Which was read and passed.

Mr. Adams, of Grand Isle, on leave, introduced a bill entitled "an act altering the terms of the county court, in the county of Grand Isle,"

Which was referred to the judiciary committee.

Mr. Townsley presented the report of the Trustees of the Vermont asylum for the Insane,

Which was ordered to be laid on the table, and five hundred copies printed.

A message from the Governor, by Mr. Manser, Secretary of Civil and Military affairs :

MR. SPEAKER :—

I am directed to transmit a communication from his excellency, the Governor.

Mr. Brown, of Worcester, introduced the following resolution :

*Resolved*, That the committee of ways and means be instructed to ascertain whether the salary allowed to the auditor of the accounts against the State, is sufficient to compensate him for the increased duties of his office, and that they report by bill or otherwise.

Which was read and passed.

Mr. Brewster, on leave, introduced a bill entitled "an act regulating the duty of town clerks,"

Which was read and referred to the general committee.

Mr. Smith, of St. Albans, on leave, introduced a bill entitled "an act directing the Treasurer to pay Harvey Bell the sum therein mentioned,"

Which was referred to the committee on claims.

The committee on manufactures were discharged from the further consideration of the bill entitled "an act to incorporate the Orange county farmer's and mechanick's mercantile association at Chelsea,"

And the bill was referred to the general committee.

Mr. Keith called up the bill, entitled "an act to locate the county buildings, in the county of Franklin."

Mr. Smith, of St. Albans, moved to dismiss the bill,

And on the question, shall the bill be dismissed? the yeas and nays were demanded, and were as follows :

Those who voted in the affirmative are Messrs.

Adams of Grand Isle	Atkins	Bailey
Allen of Irasburgh	Atwood	Balla
Allen of Westminster	Averill	Barr

Bachelor	Fairbanks	Palmer
Becket	Farrington of Brandon	Partridge
Belding	Farrington of Walden	Peck
Bingham	Field of Benson	Pope
Blodgett	Field of Wilmington	Potter
Bradley	Foot	Raymond
Brewster	Foster	Richardson
Briggs	Gibson	Robbins
Bucklin	Gillet	Robinson
Bullock	Hardy	Rockwell
Burgess	Hartwell	Scott
Butler	Harwood	Sears of Merristown
Byington	Hatch	Seaver
Capron	Hayward	Seymour
Carpenter of Moretown	Hewett of Charlotte	Smith of Clarendon
Chittenden	Hewett of Pomfret	Smith of St. Albans
Church	Hicks	Snyder
Clark	Hill	Stevens of Newbury
Coe	Hinman	Town of Mansfield
Cogswell	Holden	Town of Somerset
Colton	Hopkins	Town of Woodbury
Corbin	Houghton	Townsley
Cummings	Howe of Lunenburg	Tracy
Culver	Hulett	Vincent
Currier	Huntoon	Walker
Dawson	Hutchinson	Warner
Dee	Kittredge	Westover
Dillingham	Lance	Wheeler
Drake	Mason	Wiley of Landgrove
Eaton of Granville	McLaughlin	Wood of Springfield
Edgerton	Moulton	Wood of Westford
Ellsworth	Nelson of Wheelock	Woodbury of Bethel 105.

Those who voted in the negative, are Messrs.

Adams of Brookline	Dewey	Leonard
Adams of West Haven	Doud	Lockwood
Ashley	Duncan	Manning
Barber	Eaton of Stockbridge	Miner
Bemis	Elliot	Moore of Newport
Bloomer	Emery	Nelson of Ryegate
Bond	Everts	Paige
Bouteli	Farman	Parker of Underhill
Bowman	Farnham	Paul
Brigham	Field of Chester	Pierce
Brown of Eden	Fisk	Pineo
Brown of Worcester	Flagg	Pond
Brownell	Fuller	Rice
Bushnell	Hazletine	Rich of Maidstone
Carpenter of Ferrisburg	Hewes	Rich of Shoreham
Colby	Jackman	Richmond
Cory	Keith	Safford
Crowley	Kellogg	Sears of Richford
Darling	Kidder	Smith of Fairfield
Davis	Kinsley	

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Smith of Sheffield	Webster	Wilson
Tyler	Wheelock	Winchester
Vilas	Wiley of Weston	Worden--69.

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So it was determined in the affirmative.

A message from the Senate by Weston, their assistant secretary :

Mr. SPEAKER: The Senate concur with the House of Representatives in passing a resolution relating to the account of the superintendent of the State House.

The Senate have also passed the following entitled bills :

"An act in addition to an act, in relation to the choice and duty of town officers,"

"An act to provide for the reporting the decisions of the supreme court," and

"An act providing for the revision of the laws of this state,"

In which they ask the concurrence of the House of Representatives."

On motion of Mr. Dewey, it was ordered, that when the House do adjourn, it adjourn to Monday morning next.

Mr. Peck moved to reconsider the vote on the passage of the resolution reported by the committee on military affairs, relative to exempts from military duty,

And the motion to reconsider was ordered to be laid on the table.

The committee of claims were discharged from the further consideration of a bill entitled "an act directing the Treasurer to pay Daniel Stone and Alvin H. Baker the sum therein mentioned,"

And the bill was referred to the committee on military affairs.

The House adjourned.

MONDAY, Oct. 23, 1837.

House met pursuant to adjournment.

Prayer by the Reverend Mr. Kelley.

The Journal of Saturday was read.

Mr. Vilas introduced the following resolution :

*Resolved*, That a committee of one member from each county be appointed to make up, receive and pay over the debentures of this House for the present session.

Which was read and passed.

Mr. Hopkins introduced the following resolution :

*Resolved*, That the committee of ways and means be instructed to enquire as to the compensation which should be allowed to the Hon. John H. Cotton, for his services as superintendant of the Vermont State Prison for the current year, and report by bill or otherwise.

Which was read and passed.

Mr. Hopkins called up the report of the superintendant of the Vermont State Prison,

And it was referred to the committee of ways and means.

Mr. Townsley called up the report of the trustees of the Vermont Asylum for the Insane,

And it was referred to a select committee of five.

The following bills from the Senate, were severally read once and referred to the judiciary committee :

"An act providing for the revision of the laws of this state,"

"An act to provide for the reporting of the decisions of the supreme court," and

"An act in addition to "an act in relation to the choice and duty of town officers."

The land tax committee, on the petition of the inhabitants of Lowell, Reported that the petitioners have leave to withdraw their petition.

The report was concurred in, and leave to withdraw was granted.

The same committee on the petitions of inhabitants of Troy, and inhabitants of Bradley Vale, reported two bills,

"An act laying a tax on Bradley Vale," and

"An act laying a tax on Troy."

The reports were read, the bills severally read twice, and ordered to be engrossed and read the third time:

The same committee, on the petition for a tax on Newport, reported a bill entitled

"An act laying a tax on Newport."

The report was read, the bill read once, and recommitted to the land tax committee.

The committee to average the grand list, on the bill entitled

"An act relating to the grand list of Newhaven,"

Reported the same ought not to pass.

The report was read and the bill was ordered to be laid on the table.

The committee on education, on the bill entitled

"An act relating to common schools,"

Reported the same ought to be amended and pass.

The report was read, the bill amended agreeably to the report of the committee, and ordered to be laid on the table.

The committee of claims made the following reports :

On the petition of Charles Davis,"

That the prayer ought to be granted, and

A bill entitled "an act directing the treasurer to pay Charles Davis the sum therein mentioned."

The report was read, the bill read twice, and ordered to be engrossed and read the third time.

On the petition of J. Loomis and others,

A bill entitled "an act directing the treasurer to pay J. Loomis and others the sum therein mentioned."

The bill was read once and recommitted to the same committee, with instructions to report the bill with the interest on the claim deducted.

On the bill entitled "an act to pay Moses King the sum therein mentioned,"

Reported the same ought to pass.

The report was read and concurred in, and the bill read the second time and ordered to be engrossed and read the third time.

On the bill entitled "an act directing the treasurer to pay Abner Aldrich the sum therein mentioned,"

Reported the same ought not to pass.

The report was read and concurred in, and the bill was dismissed.

On the petition of Alexander Johnson,

Reported that the petitioner have leave to withdraw his petition.

The report was read and concurred in.

The committee on roads and canals, on the petition of Norman Hinsdill and others,

And on the petition of Winooski Turnpike Company,

Reported that they severally be referred to the next session of the Legislature, and the said petitions were so referred.

The same committee on the resolution relating to highway taxes.

Reported that any legislation upon the subject is inexpedient.

The same committee on the bills, entitled

"An act in addition to the several acts, for laying out and making highways," and

"An act in addition to an act entitled 'an act reducing into one the several acts for laying out highways,'" &c.,

Reported the same ought not to pass.

The reports were read and concurred in, and the bills were severally dismissed.

The judiciary committee on the bills entitled

"An act altering the terms of the county courts in Lamoille and Orleans counties," and

"An act altering the terms of the county court for the county of Grand Isle,"

Reported that they ought to pass.

The reports were read and concurred in, the bills severally read the second time, and ordered to be engrossed and read the third time to-morrow morning.

The same committee, on the bill from the Senate, entitled

"An act in relation to mortgage deeds,"

Reported the same ought to pass.

The report was read, the bill read the third time and passed.

The same committee, on the bill entitled

"An act in relation to bills of sale,"

Reported the same ought not to pass.

The report was read, and the bill ordered to be laid on the table.

The same committee, on the bill entitled

"An act in addition to an act relating to legal settlement," &c.,

Reported to amend, by striking out all after the enacting clause, and inserting a new bill.

The report was read, the bill amended, as proposed by the committee, and the bill as amended was read the second time, and ordered to be engrossed and read the third time to-morrow morning.

The same committee, on the resolution relating to the appointment of deputy clerks in the supreme and county courts, reported a bill entitled

"An act authorizing the appointment of deputy clerks in the supreme and county courts,"

Which was read twice, and ordered to be engrossed and read the third time to-morrow morning.

The general committee made the following reports :

On the bill entitled

"An act repealing an act therein mentioned," [viz : an act to preserve fish in the waters of Williamstown,]

On the bill entitled

"An act to preserve fish in Willoughby Lake," and

"An act to repeal an act therein mentioned," [viz : an act to preserve fish in the waters of Berlin.]

That they severally ought to pass.

The reports were read and concurred in, the bills severally read the second time, and ordered to be engrossed and read the third time.

On the resolution relating to paupers,

That it is inexpedient to pass any law upon the subject,

On the bill entitled

"An act regulating usury and repealing an act relating to interest,"

That the same ought not to pass,

The report was read and concurred in, and the bill was dismissed.

Mr. Vilas, from the committee on bills, reported to the House that the bill entitled "an act in relation to the discharge of mortgage deeds," had this day been presented to the Governor for his approbation and signature.

A message from the Senate, by Mr. Weston, their assistant secretary :

Mr. SPEAKER : The Senate concur with the House in passing a resolution relating to the claim of this state upon the general government, for services at the battle of Plattsburgh, with a proposed amendment.

Also in passing a bill entitled

"An act in addition to an act for the distribution of Laws," &c.

And the Senate have passed the following bills :

"An act directing the taxation of foreign bank stock and steam boat stock."

"An act to pay William P. Russel," &c., and

"An act to regulate the inspection of provisions," &c.,

And ask the concurrence of the House of Representatives.

Engrossed bills of the following titles were severally read the third time and passed :

"An act laying a tax on Wenlock,"

"An act reviving an act laying a tax on lands in Elmore,"

"An act in addition to an act incorporating the Norwich University,"

"An act laying a tax on lands in Brunswick," and

"An act in relation to issuing executions."

Bills from the Senate of the following titles, were severally read once and referred as follows :

"An act directing the taxing of foreign bank stock," &c.

Was referred to the select committee on the act relating to the grand list.

"An act to regulate the inspection of provisions," &c.,

Was referred to the general committee, and

"An act to pay William P. Russell the sum therein mentioned,"

Was referred to the committee of claims.



The following communication from the Governor was read :

EXECUTIVE CHAMBER, }  
Oct. 21, 1837. }

SIR: I have the honor to communicate to the House of Representatives, a copy of the report of the auditor of accounts against this state.

With sentiments of high respect,

I remain your obedient Servant,

S. H. JENISON.

Hon. SOLOMON FOOT, Speaker of the House of Representatives.

The report of the auditor of accounts against the state was referred to the committee of ways and means.

The following is the

## REPORT

Of the auditor of accounts against the State of Vermont, made to his Excellency Silas H. Jenison, the Governor, on the second Thursday of October, 1837; being an abstract of all orders drawn by him on the Treasury of the State of Vermont, on accounts by him allowed as Auditor, from the 13th day of Oct. 1836, to the 10th day of Oct. 1837, inclusive, viz :

Date.	No.	Claimants, and for what allowed.	Sums allowed.
Oct. 13,	1	Henry Smith, sheriff, Windham county, for distributing packages,	27 50
" 14,	2	Thomas Lawson, for attending on court martial as witness,	5 55
" "	3	Gary Whitney, deputy jailer, Grand Isle county, for boarding state prisoners,	16 42
" "	4	Jewett Hutchinson, Robert Lyon and Edmund Tilson, for attending as witnesses on a court martial,	19 05
" 15,	5	Reuben Peck, for attending as witness on court martial,	3 65
" 17,	6	Norman Blackmer, for nine days service as brigade inspector, &c.,	18 00
" "	7	Heman Lowry, sheriff, Chittenden county, for distributing packages,	20 00
" "	8	Thomas D. Hammond, commissioner deaf and dumb, for cash advanced and time expended as commissioner,	76 18
" "	9	Reuben V. Hayward and Wm. H. H. Durkey, for service as members of court martial,	14 10
" 18,	10	John Currier, deputy jailer, Caledonia county, for boarding state prisoners,	26 81
" "	11	S. B. Flint, for time and service as drill master,	4 00
" "	12	Joseph Ellis, deputy jailer, Windham county, for boarding state prisoners,	25 00
" "	13	Geo. W. Cobb, for stationary for sec. of state,	1 50
" "	14	Luther S. Burnham, sheriff, Orange county, for distributing packages,	22 50
" "	15	J. McLure, physician, for medical attendance on state prisoners,	2 32
" 19,	16	Town of Westminster, for error in state tax,	47 26

Oct. 19,	17	Charles Davis auditor in treasury department, for time and expense auditing treasury accounts,	27	32
" "	18	Geo. T. Hodges, for apprizing state prison property,	47	00
" "	19	Horace L. Nichols, for similar service,	38	25
" "	20	John Cleaveland, physician, for attendance on state prison, (not allowed.)		
" 20,	20	E. C. McLoud, for attendance as member of court martial,	9	50
" "	21	Town of Barnard, for error in state tax,	44	28
" 21,	22	Austin Carpenter, for attendance as witness on court martial,	4	95
" "	23	Henry Edson, for similar service,	5	50
" "	24	Ira Parsons, sheriff, Rutland county, for distributing packages,	25	00
" "	25	Same for boarding state prisoners,	16	53
" "	26	Alvan Carter, sheriff, Washington county, for distributing packages,	12	00
" "	27	Town of Middlebury, for boarding state paupers in jail,	22	28
" "	28	H. C. Weeden, for attendance as member of court martial,	2	70
" 22,	29	A. B. W. Tenney, sheriff, Orange county, for distributing packages,	18	00
" 21,	30	A. Rutherford, brigade inspector, &c., for service as inspector and drill master,	12	00
" 25,	31	James Palmer, for attendance as member of court martial,	8	40
" "	32	H. Wadsworth, brigade major and inspector, for service as drill officer,	16	00
" 26,	33	Geo. W. Utee, deputy jailor, Manchester, for boarding state prisoners,	21	97
" "	34	Samuel H. Holley, quarter-master general, for time and expenses in inspecting state arms,	35	50
" "	35	Hiram Atwood, brigade inspector, for services as drill master,	4	00
" "	36	E. P. Walton & Son, for stationary, printing, &c., for service of state,	184	19
" 27,	37	Elisha Herrick, for services as member of court martial,	5	25
" "	38	Westly Martin, for similar service,	6	20
" 28,	39	Greenleaf Webb, sheriff, Essex county, for distributing packages,	20	00
" 29,	40	Martin Flint, adjutant and inspector general, for cash paid and for services distributing blanks,	22	00
" 31,	41	Almon Warner, for services visiting Vermont University,	31	60
Nov. 1,	42	Anson Davis, deputy jailor, Montpelier, for boarding state prisoners,	37	30
" "	43	Geo. C. West, for services as member of court martial,		
" "	44	Vernon Harrington, for service of state,		

Nov. 2,	45	C. B. Stebbins, for mahogany rules,	50
" 3,	46	Thomas Jameson, sheriff, Orleans county, for distributing packages,	30 00
" 4,	47	H. Hale, commissioner, for time and cash expended examining banks,	68 00
" "	48	A. Warner, commissioner, for similar service,	72 00
" "	49	Samuel C. Crafts, for time and expenses settling accounts superintendant state house,	13 00
" "	50	Jonas Clarke, for like services,	21 00
" "	51	Sabin Kellam, deputy jailor, Orleans county, for boarding state prisoners,	40 36
" 5,	52	F. F. Merrill, administrator of Timothy Merrill, for postage on official letters,	1 52
" 7,	53	Thomas H. Reed, Jr., for time, &c., settling account superintendant state house,	13 75
" "	54	Thomas D. Hammond, commissioner deaf and dumb, for cash paid freight and postage,	98
" "	55	E. P. Walton & Son, for stationary, printing for state, &c.,	191 47
" 8,	56	Daniel Crane, for services as witness at court martial,	3 95
" "	57	F. F. Merrill, for cash paid cart,	25
" 9,	58	Knapp & Jewett, for newspapers, state printing, &c.,	169 52
" "	59	E. P. Walton & Son, for similar service,	276 23
" "	60	Augustine Clarke, treasurer, for cash paid postage and expenses attending suit state vs. Buck, &c.,	48 71
" "	61	Wm. Clarke, for newspapers, state printing, &c.,	345 66
" "	62	E. P. Walton & Son, for binding state library in part,	168 55
" 14,	63	Alexander Campbell, bank commissioner, for examining banks, &c.,	92 00
" 26,	64	A. Munn, for publishing governor's proclamation for member of congress,	3 50
Dec. 2,	65	C. L. Knapp, secretary of state, for state printing,	48 98
" "	66	Cyrus Ware, surveyor of public buildings, for time and expense, &c. superintending public buildings,	24 00
" 5,	67	Geo. B. Manser, governor's secretary, for postage and freight on official business,	8 82
" 15,	68	Anson Davis, deputy jailor, Washington county, for boarding state prisoners,	28 63
" 16,	69	Daniel Brown, sheriff, Windsor county, for boarding state prisoners,	75 75
" "	70	Same for clothes and nursing state prisoners,	9 63
" 17,	71	Vernon Harrington, for blank commissions,	13 93
" "	72	Elijah Bailey, deputy jailor, Bennington county, for boarding state prisoners,	31 17
" "	73	Same, for clothing, nursing, and boarding state prisoners,	52 44
" 20,	74	Sundry persons, for services on military court of inquiry,	11 80
" 23,	75	Wm. Clarke, for state printing,	42 96

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Jan. 1,	76	Wm. E. Ryther, for state printing,	15 00
" 9,	77	Joseph Dovrance, deputy jailor, for boarding state prisoners,	68 76
" "	78	R. H. Grant, for state printing,	15 00
" 16,	79	H. B. Stacy, for state printing,	15 00
" "	80	Richards & Tracy, for state printing,	3 50
" "	81	Darius Jones, for state printing,	18 50
" 17,	82	O. S. Murray, for state printing,	15 00
" "	83	George Carpenter, for service of court martial,	5 15
" 18,	84	John Currier, sheriff, Caledonia county, for state prisoners,	38 64
" "	85	Nahum Stone, for state printing,	15 00
" "	86	Joseph Steen, for state printing,	15 00
" "	87	Geo. O. Gilbert, for medical attendance on state prison,	7 00
" 24,	88	Daniel Bowen, sheriff of Windsor county, for boarding state prisoners,	19 58
" 27,	89	Daniel A. Spooner, for state printing,	15 00
" "	90	Lucius Howes, deputy jailor, for boarding state prisoners,	45 22
" 31,	91	H. Drury, for state printing,	15 00
" "	92	J. C. Haswell, for state printing,	15 00
Feb. 8,	93	J. B. & S. L. Chas., for state printing,	4 50
" "	94	E. P. Walton & Son, for publishing acts of legislature, 1836,	459 14
" "	95	Same, for publishing journals of the Senate,	296 50
" "	96	Same, for publishing 3180 copies of constitution,	96 05
" "	97	Same, for stationary and printing,	90 19
" 9,	98	Hiram S. Huse, for service as witness on court martial,	4 95
" 14,	99	G. A. Tuttle, for state printing,	15 00
" "	100	Ira Parsons, sheriff, Rutland county, for boarding state prisoners,	62 85
" "	101	Vernon Harrington, for paper and blanks,	14 62
" 18,	102	Wright Palmer, for state printing,	14 82
" 22,	103	William R. Johnson, for services as drill master,	8 00
" "	104	E. R. Jewett, for state printing,	15 00
" 25,	105	H. B. Peabody, for medical attendance at state prison,	30 50
Mar. 1,	106	B. A. Ormsbee, deputy jailor, Fayetteville, for boarding state prisoners,	25 15
" "	107	E. W. Blaisdell, for state printing,	15 00
" 4,	108	Daniel Bowen, sheriff, Windsor county, for boarding state prisoners,	52 82
" 13,	109	Azariah Rood, sheriff, Addison county, for boarding state prisoners,	73 00
" "	110	J. B. & S. L. Chase, for state printing,	15 00
" 23,	111	S. W. Porter, for time and labor selling labor of state prison convicts,	9 62
" 28,	112	W. T. Mack, for state printing,	15 00
" 30,	113	Geo. A. Allen, sheriff of Chittenden county, for distributing packages,	20 00

Mar. 30	114	Samuel Nichols, deputy jailor, Bennington county, for clothing and nursing state prisoners,	19 75
" "	115	B. F. McFarland, deputy jailor, Chittenden county, for clothing state prisoners,	2 25
" "	116	Samuel Nichols, deputy jailor, Chittenden county, for boarding state prisoners,	40 22
" 31,	117	Daniel Bowen, sheriff, Windsor county, for boarding state prisoners,	98 61
Ap'l 13,	118	E. P. Walton & Son, for stationary, printing, &c.	67 96
" 14,	119	Cyrus Ware, superintendent public buildings, for work, &c., in that capacity,	13 84
" "	120	Sundry persons, for services as members of court martial,	72 40
" 14,	121	Elam Porter, for services as member of court martial,	5 05
" "	122	Ira Parsons, sheriff Rutland county, for boarding state prisoners,	69 22
" "	123	Anson Davis, deputy jailor, Washington county, for boarding state prisoners,	88 27
" 24,	124	Ira Parsons, sheriff, Rutland county, for boarding state prisoners,	14 46
" "	125	Wm. Fay, for state printing,	15 00
" "	126	Vernon Harrington, for paper and printing for state,	8 00
" 26,	127	Philo G. Camp, for boarding state prisoners,	13 21
" 27,	128	Daniel Bowen, sheriff, Windsor county, for boarding state paupers and distributing packets,	15 98
" 31,	129	Benj. Whitney, deputy jailor, Rutland county, for boarding state prisoners,	4 47
May 3,	130	Charles F. Parsons, for service on court martial,	5 85
" "	131	Daniel Ransom, for similar service,	5 85
" "	132	Carlos Coolidge, for drafting contracts, being state prison contracts,	8 00
" "	133	P. G. Camp, clerk, Lamoille county, for time spent in removing causes on to docket,	14 00
" 12,	134	Daniel Bowen, sheriff, Windsor county, for boarding state prisoners,	78 68
" "	135	Same, for clothing state prisoners,	19 59
" 21,	136	John Currier, sheriff, Caledonia county, for boarding state prisoners,	48 40
June 21,	137	Lucius Howes, deputy jailor, Orange county, for boarding state prisoners,	55 64
" 30,	138	Ebenezer Eaton, for state printing,	15 00
July 4,	139	John F. Swain, for services on court martial,	6 20
" 7,	140	Sabin Killum for boarding state prisoners,	167 66
" 7,	141	Town of St. Albans, for boarding state paupers	34 28
" "	142	Jeptha Bradley, sheriff, Franklin county, for boarding state prisoners,	144 50
" "	143	Same, for clothing state prisoners,	6 25
" 10,	144	H Johnson & Co., for paper and blank commissions,	16 50
" 13,	145	H. B. Peabody, for medical attendance on state prison,	10 50

July 13, 146	Azariah Rood, sheriff, Addison county, for distributing packages,	27 00
" " 147	Joseph Dovrance, deputy jailor, for boarding state prisoners,	105 55
Aug. 2, 148	Cyrus Ware, superintendent of public buildings, for services under that appointment,	29 84
" 7, 149	Ira Parsons, sheriff, Rutland county, for boarding state prisoners,	108 65
" " 150	Jason Spalding, for services as member of court martial,	3 55
" 23, 151	Joseph Hemmenway, for state printing,	2 00
" 29, 152	B. F. McFarland, deputy jailor, for boarding state prisoners,	188 22
Sept. 9, 153	Azariah Rood, sheriff, for clothing state prisoners,	28 45
" 25, 154	E. P. Walton & Son, for stationary for service of state,	47 59
" " 155	H. W. W. Miller, brigade inspector, for drilling 14 days, 6 regiments,	28 00
" 26, 156	Austin Bissell, deputy jailor, Fayetteville, for boarding state prisoners,	104 25
" 31, 157	Daniel Bowen, sheriff, Windsor county, for boarding prisoners and distributing packages,	63 76
Oct. 2, 158	Harry Thomas, brigade inspector, for 8 days drilling 4 regiments, 3d divis. 4th brig.,	16 60
" 9, 159	Norman Williams, for attending 9 days Examination of Vermont University and expenses,	36 63
		<hr/> \$6,595 93

AUDITOR'S OFFICE, WOODSTOCK, }  
October 10, 1837. }

I hereby certify that the foregoing abstract, numbered from 1 to 159, inclusive, constitutes the amount of all orders, drawn on the treasurer of the state of Vermont, on accounts by me allowed, as auditor of accounts against the state, since the 13th day of October, 1836, to this 10th day of October, 1837, inclusive, amounting in all, to the sum of six thousand five hundred ninety-five dollars and ninety-three cents.

DAVID PIERCE, Auditor of Accounts against the State.

To his Excellency, SILAS H. JENISON, Governor, &c. of the state of Vermont.

Mr. Smith of St. Albans, was excused from serving on the select committee raised on the communications from the several states, and Mr. Peck was appointed in his stead.

Mr. Farnham, the member from Poughney, had leave of absence for the remainder of the session, from and after this morning.

Petitions of inhabitants of Brandon, Montpelier, Derby and Underhill, relative to the license laws,

Were severally referred to the committee on the Rutland memorial.

The petition of the inhabitants of Lunenburg,

Was referred to the land tax committee.

The petition of H. S. Camp and others,

Was referred to the committee of ways and means.

Mr. Moore called up the resolution relating to the appointment of Thanksgiving.

Mr. Hopkins proposed to amend, by erasing "Thursday the eighth of December," and inserting *the last Thursday of November*.

The amendment was adopted, and the resolution was passed.

Mr. Barr moved to re-consider the vote dismissing bill entitled "An act to locate the county buildings in the county of Franklin." And the motion was ordered to be laid on the table.

Mr. Peck, on leave, introduced a bill entitled "An act relating to the duties of the judges of the supreme court," Which was read twice and referred to the judiciary committee.

Mr. Peck, on leave, introduced a bill entitled "An act relating to the judiciary," Which was read twice and referred to the judiciary committee.

Mr. Dillingham, on leave, introduced a bill entitled "An act directing the treasurer to pay A L Miner the sum therein mentioned,"

Which was referred to the committee on claims.

The House adjourned.

#### AFTERNOON.

House met pursuant to adjournment.

The Speaker announced the appointment of the following committees:  
On report of trustees of Vermont Asylum for the Insane,  
Messrs. Dewey, Townsley, Tracy, Vilas and Winslow.

On general committee, in place of Mr. Farnham, excused, Mr. Leonard.

Mr. Flagg, on leave, introduced a bill, entitled:

"An act for the relief of Benjamin Allen, Charles Safford, and Joseph Whipple,"

Which was referred to the committee of ways and means.

The House concurred in the proposed amendment of the Senate, to the resolution, relative to obtaining indemnity for our citizens, of the general government, for services at, and prior to, the battle of Plattsburg.

Mr. Needham called up the bill entitled

"An act extending jail yards,"

And the bill was read once and again ordered to be laid on the table.

The judiciary committee, on the bill entitled

"An act relating to the judiciary,"

Reported the same ought to pass.

The report was read and concurred in, the bill read twice, and ordered to be engrossed and read the third time tomorrow afternoon.

Mr. Hopkins introduced the following resolution:

*Resolved*, the senate concurring herein, that Robert Pierpoint, Kent Wright and Sewall Fullam, Jr., be appointed as a committee, whose du-

ty it shall be, between the close of the present session and the first day of December next, to settle with the Hon John H. Cotton, superintendent of the State's Prison, appraise the property, now at said prison, belonging to the state, and deliver to the superintendent elect, the books and papers heretofore kept at said prison for the use of the state, together with said property. Also in the month of September next, to visit the prison and examine the condition of the same, settle with the superintendent, appraise all the property there, then remaining unsold, and make report of their doings, at the October session of the Legislature, A. D. 1838.

Which was read and passed.

The petition of Josiah N. Melendy,  
Was referred to the land tax committee.

The petition of Norman L. Whittinore and others,  
Was referred to the committee of insolvency.

Mr. Seymour introduced the following resolution :

*Resolved*, That the committee on education be instructed to enquire into the expediency of so altering and amending the school act, passed November 9, 1827, that all monies raised under the provisions of said act for the support of schools, shall be equally apportioned among all children between the ages of four and eighteen, of the several towns of this state, whether said children are pupils of district or of private schools, and report by bill or otherwise.

Which was read, and the House refused to pass.

Mr. Adams of Grand Isle, introduced the following resolution :

*Resolved*, the Senate concurring herein, that the president of the Senate and speaker of the House of Representatives, close the present session of the Legislature, by an adjournment of their respective Houses, on Thursday the 2d day of November next, at 5 o'clock, A. M.

Which was read and passed.

Mr. Vilas introduced the following resolution :

*Resolved*, That no bill shall be introduced into this House, except by committees, after Thursday next, without the unanimous consent of the same.

Which was read and ordered to be laid on the table.

Mr. Duncan, on leave, introduced a bill entitled

"An act to repeal an act therein mentioned,"

Which was read once and referred to the committee of claims.

The petition for a repeal of the charter of the Green Mountain Turnpike Company, was read and referred to the select committee raised on the petition of Chauncey Adams and others.

Mr. Hewett of Pomfret, on leave, introduced a bill entitled

"An act relating to the grand list,"

Which was read once and referred to the select committee raised on a former bill of the same title.

Mr. Coe, on leave, introduced a bill entitled

"An act laying a tax on East Haven,"

Which was read once and referred to the land tax committee.

Mr. Parker of Bradford, on leave, introduced a bill entitled



"An act directing the treasurer to pay Oramel H. Watson the sum therein mentioned,"

Which was referred to the committee of claims.

The committee of claims, to whom was re-committed the bill entitled "An act directing the treasurer to pay J. Loomis," &c.

Reported the same with an amendment, as instructed by the House.

The amendment was adopted, the bill read twice, and ordered to be engrossed and read the third time.

Petitions from Sheldon, Westminster and Ferrisburg, relative to the license laws, were severally referred to the committee on the Rutland memorial.

Mr. Field of Benson, introduced the following resolution :

*Resolved*, That the general committee be instructed to enquire into the expediency of passing a law to prevent horses running at large on the public roads, and report to this House by bill or otherwise.

Which was read and passed.

The select committee, on the bill entitled

"An act to settle the boundary line between Elmore and Worcester,"

Reported the same ought to pass.

The report was read and concurred in, the bill read twice, and ordered to be engrossed and read the third time tomorrow afternoon.

Mr. Tracy called up the bill entitled

"An act relating to bills of sale,"

And moved that the bill be dismissed.

And on the question, Shall the bill be dismissed? the yeas and nays were demanded and were as follows :

Those who voted in the affirmative are Messrs.

Adams of Brookline	Brigham	Dewey
Adams of Grand Isle	Brown of Eden	Dillingham
Allen of Irasburgh	Brown of Goshen	Doud
Allen of Westminster	Brownell	Drake
Ames	Buck	Duncan
Appleton	Baelin	Eaton of Granville
Averill	Bullock	Eaton of Stockbridge
Bacon	Butler	Edgerton
Bailey	Capron	Elliot
Baker	Cardell	Ellsworth
Baldwin	Carpenter of Moretown	Emery
Ballard	Chittenden	Everts
Barber	Church	Fairbanks
Barr	Coggswell	Farman
Bachelor	Cole	Farrington of Brandon
Beckett	Colton	Field of Benson
Belden	Corbin	Field of Chester
Bemis	Crowley	Field of Wilmington
Bingham	Cummings	Fisk
Budgett	Culver	Flagg
Bond	Currier	Fletcher
Boutell	Darling	Flint
Bradley	Davis	Foot
Brewster	Dawson	Foster
Briggs	Dec	French of Williston

Gibson	Lance	Safford
Gillett	Lawrence	Samson
Goodrich of Alburgh	Leonard	Scofield
Goodrich of Hardwick	Mason	Scott
Hapgood	McLaughlin	Sears of Morristown
Hardy	Moore of Newport	Sears of Richford
Hatch	Morrill	Seaver
Hayward	Moulton	Seymour
Hazeltine	Nelson of Ryegate	Smith of Clarendon
Hewett of Charlotte	Nelson of Wheelock	Smith of Sheffield
Hewett of Pomfret	Paige	Smith of St. Albans
Hicks	Palmer	Town of Somerset
Hill	Parker of Bradford	Town of Woodbury
Hinman	Parker of Underhill	Townsend
Holden	Partridge	Tracy
Hopkins	Peabody	Trull
Hopkinson	Peck	Vincent
Houghton	Pierce	Warner
Hovey	Pineo	Westover
Howe of Lunenburg	Pond	Wheelock
Howe of Vernon	Pope	Wheeler
Hulett	Potter	Wiley of Landgrove
Huntoon	Rice	Wiley of Weston
Hutchinson	Rich of Shoreham	Winchester
Jackman	Richardson	Winslow
Kellogg	Richmond	Wood of Springfield
Kidder	Robbins	Woodbury of Baltimore
Kinsley	Robinson	Woodbury of Bethel
Kittredge	Rockwell	Worden—159.

Those who voted in the negative are Messrs.

Adams of Westhaven	Cory	Raymond
Atwood	Hartwell	Smith of Monkton
Brown of Worcester	Harwood	Town of Mansfield
Bushnell	Keith	Vilas
Coe	Lockwood	Walker.—17.
Colby	Needham	

So it was determined in the affirmative.

A message from the Senate, by Mr. Weston, their assistant secretary:  
**MR. SPEAKER:** The Senate concur with the House of Representatives in passing a bill entitled

“An act in addition to an act entitled “an act to provide for the receipt and distribution of the public money,” &c., with proposed amendments.

The Senate have also passed a bill entitled

“An act relating to the Rail Road Bank,”

And ask the concurrence of the House.

The House concurred in the proposed amendments of the Senate to the first above mentioned bill.

The bill from the Senate, entitled

“An act relating to the Rail Road Bank,”

Was read twice and referred to the committee on banks.

P

Mr. Hopkins called up the bill entitled

"An act relating to assignments,"

And on his motion, the bill was amended by adding the words "by three successive publications."

Mr. Kittridge moved to dismiss the bill,

And on the vote being taken it was determined in the negative.

Mr. Fairbanks proposed the following amendment, to be added after the third section :

SEC. 4. It is hereby further enacted, That in all assignments made agreeably to the provisions of this act, if the debtor or debtors assigning be engaged in mercantile pursuits, it shall be the duty of the assignee or assignees, to cause notice of said assignment to be inserted in some daily paper three times successively, published in each of the cities of New York and Boston, the first insertion to be within fifteen days of the time of making said assignment.

And on the vote being taken, Shall the proposed amendment be adopted? it was determined in the negative.

On motion of Mr. Peck, the bill was ordered to be laid on the table.

Mr. Vilaz, from the committee on bills, reported to the House, that the bill entitled

"An act in addition to an act for the distribution of laws, journals and other public papers,"

Had this day been presented to the Governor for his approbation and signature.

The House adjourned.

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TUESDAY, Oct. 24, 1837,

House met pursuant to adjournment.

Prayer by Reverend Mr. Kellogg.

The journal of yesterday was read.

Mr. Elliot introduced the following resolutions :

*Resolved*, That the committee of insolvency be instructed to enquire into the expediency of a law to regulate the assignment and distribution of the property of insolvent debtors, and that they report by bill or otherwise.

*Resolved*, That the judiciary committee be directed to enquire into the expediency of a law to carry into effect the 36th section of the Constitution of this state, by which it is declared that "the Legislature shall regulate entails, in such manner as to prevent perpetuities," and that they report by bill or otherwise,

Which were severally read and passed.

Mr. Palmer, on leave, introduced a bill entitled

"An act more effectually to enforce the collection of military fines, and in addition to an act regulating and governing the militia of this state,"

Which was referred to the committee on military affairs

Mr. Kellogg, on leave, introduced a bill entitled  
 "An act in addition to an act providing for the support of common schools,"

Which was read once and referred to the committee on education.

Mr. Wiley of Weston, on leave, introduced a bill entitled

"An act altering the name of John Wakefield,

Which was read once and referred to the general committee.

A message from the Governor, by Mr. Manser, secretary of civil and military affairs :

Mr. SPEAKER : I am directed to transmit to the House of Representatives a communication from his Excellency the Governor :

The communication is as follows :

EXECUTIVE CHAMBER, }

OCT. 24, 1837. }

SIR : In compliance with the request of the state military convention, holden at this place, on the 18th inst., I have the honor to transmit to the House of Representatives a copy of the doings of that convention, for the use of the General Assembly.

Very respectfully yours,

S. H. JENISON.

Hon. SOLOMON FOOT, Speaker of the House of Representatives.

The proceedings of the military convention were referred to the committee on military affairs.

Mr. Bond, on leave, introduced a bill entitled

"An act in alteration of an act for the support of common schools,"

Which was read once and referred to the committee on Education.

The account of George W. Peck,

Was referred to the committee of claims.

The petition of inhabitants of Marshfield,

Was referred to a select committee of five.

The memorial of the inhabitants of Corawall,

Was referred to the judiciary committee.

The petition of the inhabitants of Barre,

Was referred to the committee on the Rutland memorial.

The land tax committee, on the petitions from Duxbury, Guildhall and Granville,

Reported three bills laying a tax on each of said towns,

Which were severally read twice, and ordered to be engrossed and read the third time.

The committee of ways and means, on the resolution, relating to compensating the superintendant of the Vermont state prison,

Reported a bill entitled

"An act compensating the superintendant of the Vermont state prison,"

Which was read twice and ordered to be engrossed and read the third time.

The judiciary committee on the bill entitled

"An act relating to the judges of the supreme court,"

Reported the same ought to pass.

The report was read and concurred in, and the bill was ordered to be engrossed and read the third time to-morrow morning.

The same committee, on the bill from the Senate entitled

"An act to provide for the reporting of the decisions of the supreme court,"

Reported the same ought to pass.

The bill was read the second time, and on motion of Mr. Adams of Grand Isle, was ordered to be laid on the table.

The committee of claims, on the following bills :

"An act directing the Treasurer to pay Samuel B. Booth the sum therein mentioned," and

"An act directing the treasurer to pay Harvey Bell the sum therein mentioned,"

Reported that they severally ought to pass.

And the bills were read the second time and ordered to be engrossed and read the third time.

The same committee, on the bill from the Senate entitled

"An act to pay William P. Russell the sum therein mentioned,"

Reported the same ought to pass.

The report was concurred in, the bill read the second time, and ordered to be read the third time.

The committee of insolvency, on the bill entitled

"An act relating to the liabilities of incorporations,"

Reported the same ought not to pass.

The report was read, and the bill on motion of Mr. Field of Wilmington, was ordered to be laid on the table.

The general committee, on the bill from the Senate entitled

"An act in addition to an act to incorporate the village of Brattleboro,"

Reported the same ought to pass.

The report was read and concurred in, and the bill read the third time and passed.

The same committee made the following reports :

On the bill entitled

"An act regulating the duty of town clerks,"

That the same ought not to pass.

The report was read and the bill was dismissed.

On the bill entitled

"An act relating to the grand list,"

That the same ought to pass.

The report was read and the bill was ordered to be laid on the table.

On the bills entitled

"An act to alter the name of Lyman Ainsworth," and

"An act to alter the name of Samuel Ainsworth,"

That they ought not to pass.

The reports were read and the bills were severally dismissed.

The committee on education, on the bill entitled

"An act repealing an act regulating the practice of physic and surgery in this state,"

Reported the same ought not to pass.

Mr. Lawrence moved to dismiss the bill, and on the question, Shall the bill be dismissed? the yeas and nays were demanded and were as follows :

Those who voted in the affirmative are Messrs.

Adams of Brookline	Doud	Mason
Adams of Grand Isle	Drake	Martin
Allen of Irasburgh	Duncan	Moore of Newport
Allen of Westminster	Ellsworth	Moulton
Appleton	Fairbanks	Paul
Ashley	Farrington of Brandon	Peabody
Atwood	Farrington of Walden	Peck
Ayres	Field of Benson	Pennock
Baker	Field of Jerico	Pond
Ballard	Fisk	Rich of Shoreham
Barber	Fletcher	Richmond
Becket	Flint	Robbins
Bemis	Foot	Robinson
Bouteli	French of Williston	Rockwell
Bradley	Fuller	Sears of Morristown
Brewster	Goodrich of Alburgh	Sears of Richford
Brigham	Hapgood	Seymour
Brown of Eden	Harmon	Sleeper
Brown of Worcester	Harwood	Smith of Fairfield
Brownell	Hazletine	Smith of Sheffield
Bullock	Hewett of Charlotte	Smith of St. Albans
Bushnell	Hewett of Pomfret	Tilden
Byington	Hinman	Townslay
Capron	Hopkins	Tracy
Carpenter of Ferrisburg	Hopkinson	Vilas
Chittenden	Howe of Vernon	Webster
Colby	Huntoon	Westover
Cole	Hutchinson	Wheelock
Colton	Jackman	Winslow
Corbin	Keith	Wood of Springfield
Cory	Kellogg	Wood of Westford
Crowley	Kidder	Woodbury of Baltimore
Cummings	Kittredge	Woodbury of Bethel
Darling	Lawrence	Worden--106.
Dewey	Lockwood	
Dillingham	Manning	

Those who voted in the negative are Messrs.

Ames	Bucklin	Emery
Atkins	Cady	Everts
Averill	Cardell	Farman
Baldwin	Carpenter of Moretown	Field of Chester
Barr	Church	Field of Wilmington
Bachelor	Cogswell	Flagg
Belding	Corliss	French of Bloomfield
Bingham	Culver	Fullam
Blodgett	Currier	Gibson
Bloomer	Davis	Gillet
Bowman	Dee	Goodrich of Hardwick
Briggs	Eaton of Granville	Hardy
Brown of Goshen	Edgerton	Hartwell
Buck	Elliot	Hayward

Hewes	Paige	Snyder
Hicks	Palmer	Stevens of Essex
Hill	Parker of Bradford	Stevens of Newbury
Houghton	Parker of Underhill	Town of Mansfield
Hovey	Partridge	Town of Woodbury
Hulett	Pineo	Tyler
Ketchum	Potter	Vincent
Kinsley	Raymond	Walker
Lance	Safford	Warner
May	Samson	Wiley of Landgrove
McLaughlin	Scofield	Wiley of Weston
Miner	Scott	Winchester—84.
Nelson of Ryegate	Seaver	
Nelson of Wheelock	Smith of Monkton	

So it was determined in the affirmative.

Engrossed bills of the following titles were severally read the third time and passed :

"An act directing the treasurer to pay Charles Davis the sum therein mentioned."

"An act to repeal an act therein mentioned."

"An act repealing an act entitled an act to preserve fish in Willoughby Lake."

"An act directing the treasurer to pay Moses King the sum therein mentioned."

"An act directing the treasurer to pay J. Loomis and others the sum therein mentioned."

"An act to settle the boundary line between Elmore and Worcester."

"An act relating to the judiciary."

"An act laying a tax on the lands in Bradleyvale."

"An act laying a tax on the lands in Troy."

"An act to repeal an act therein mentioned."

"An act in addition to an act entitled "an act defining what shall be deemed and adjudged a legal settlement," &c., and

"An act authorising the appointment of deputy clerks of the supreme and county courts."

The memorial of sundry voters of Braintree against the sitting member from that town,

Was referred to the committee of Elections.

A message from the Governor, by Mr. Manser, secretary of civil and military affairs :

Mr. SPEAKER : I am directed to transmit to the House of Representatives a communication from his Excellency the Governor.

The communication is as follows :

EXECUTIVE CHAMBER, }  
Oct. 24, 1837. }

SIR : I have the honor to make known to the General Assembly that Hon. John S. Webster, who has been elected one of the assistant justices of the county court for the county of Franklin, declines accepting said office; and that William Sanborn, Esq., who has been elected

high bailiff for the county of Orange, also declines the acceptance of that office.

Very respectfully,  
Your obedient servant,  
S. H. JENISON.

Hon. SOLOMON FOOT, Speaker of the House of Representatives.

The judiciary committee, on the bill from the Senate entitled  
"An act in addition to an act in relation to the choice and duty of town officers,"

Reported the same ought to pass.

The report was read, the bill read the second time and ordered to be read the third time to-morrow afternoon.

The committee on manufactures, on the bill entitled

"An act to incorporate the Wallingford manufacturing company,"

Reported the same ought to pass.

The report was read, and on motion of Mr. Field of Wilmington, was ordered to be laid on the table.

The general committee made the following reports :

On the bill entitled

"An act to repeal an act therein mentioned,"

That the same ought not to pass.

The report was read, and the bill was dismissed.

On the bill entitled

"An act relating to pedlers,"

Reported the same ought to pass.

The report was read, the bill was read the second time, and ordered to be engrossed and read the third time to-morrow morning.

The House adjourned.

#### AFTERNOON.

The House met pursuant to adjournment.

The bill entitled

"An act in relation to the grand list of New Haven,"

On motion of Mr. Needham, was referred to the members from Addison county.

The petition of John Buckmaster and others was referred to the select committee on the petition of Chauncey Adams and others.

The Speaker announced the appointment of the following committee, on the petition of inhabitants of Marshfield :

Messrs. Palmer, Cole, Wiley of Landgrove, Culver and Emery.

Mr. Crowley introduced the following resolution :

*Resolved*, the Senate concurring herein, that the state's attorney for the county of Rutland, be, and he is hereby directed forthwith to commence a writ of scire facias against the Green Mountain Turnpike Company, agreeably to the laws of this state, requiring said company to show cause why its grant or charter should not be vacated.



Which was referred to the select committee on the petition of Chauncey Adams and others.

A message from the Senate, by Mr. Williams, their secretary :

Mr. SPEAKER : The Senate have passed bills of the following titles :

"An act relating to prisons and jail yards," and

"An act to incorporate the Springfield paper company,"

And ask the concurrence of the House.

They also concur with the House in passing a bill entitled

"An act to revive an act laying a tax on Elmore."

The Senate also concur with the House in passing the resolution for the adjournment of both Houses ;

Also concur in passing the resolution for a Thanksgiving, with a proposed amendment.

Mr. Scofield, on leave, introduced a bill entitled

"An act for the relief of Lewis Tucker,"

Which was read once and referred to the committee of claims.

Mr. French of Williston, on leave, introduced a bill entitled

"An act directing the treasurer to pay Warren Bliss the sum therein mentioned,"

Which was read once and referred to the committee of claims.

Mr. Field of Wilmington, on leave, introduced a bill entitled

"An act authorizing the surveyor general to examine, survey and settle the boundary line between the town of Wilmington and the towns of Readsboro' and Searsburg,"

Which was referred to the general committee.

The petition of Ziba Pope and others, on motion of Mr. Needham, Was referred to the general committee.

Five remonstrances against extending the charter of the Passumpsic turnpike company,

Were severally referred to the committee on roads and canals.

The accounts of the town of Rupert and of Thomas Emerson and others,

Were severally referred to the committee of claims.

The resolution for the appointment of thanksgiving, returned from the Senate with a proposed amendment, was taken up and the amendment concurred in.

The bill from the Senate entitled

"An act relating to prisons and jail yards,"

Was read once and referred to the committee of insolvency;

The bill from the Senate entitled

"An act to incorporate the Springfield paper company,"

Was read twice and referred to the committee on manufactures.

The select committee on the resolution relating to the delays in publishing the journals of last session, reported that, owing to the unusual voluminousness of the journals of the last year, the clerk of the House was delayed somewhat beyond the usual time in preparing the copy for the press ; but that for causes unknown to the committee, the principal delay occurred with the printer, after the copy had been received. With a view to prevent the future recurrence of this evil, the commit-

tee further reported the following resolution, and recommended the passage of the same, viz :

*Resolved*, That in all future contracts for printing the journals of the General Assembly, it shall be stipulated, that they shall be published and distributed within sixty days from the close of the session.

Which was read and passed.

The committee of claims on the bill entitled

"An act to pay A. L. Miner the sum therein mentioned,"

Reported the same ought not to pass.

The report was read, and the bill was read once and ordered to be laid on the table.

The judiciary committee, on the petition of the inhabitants of Cornwall,

Reported that the petitioners have leave to withdraw their petition.

And leave to withdraw their petition was granted.

The bill from the Senate entitled

"An act to pay William P. Russell the sum therein mentioned,"

Was read the third time and passed.

Engrossed bills of the following titles were severally read the third time and passed :

"An act altering the terms of the county courts in Lamoille and Orleans counties," and

"An act altering the terms of the county courts in the county of Grand Isle."

The committee to whom was referred the resolution relative to the militia polls in Guildhall,

Reported the same ought to be amended by striking out the word "four" after "thirty," and being so amended ought to pass.

The resolution was amended as proposed by the committee, and amended was read and passed.

Mr. Schoff, on leave, introduced a bill entitled

"An act in addition to an act entitled an act regulating the collection of taxes, passed Oct. 17, 1797,"

Which was read twice and referred to the general committee.

Mr. Slesper introduced the following resolution :

*Resolved*, That the committee on military affairs be directed to enquire into the expediency of passing an act authorising the Governor of this state to loan the arms at Vergennes, to independent companies in this state, and report by bill or otherwise.

Which was read and passed,

The land tax committee, on the petition of the inhabitants of Granby,

Reported a bill entitled

"An act laying tax on Granby,"

Which was read twice and ordered to be engrossed and read the third time.

The Speaker presented the bank inspector's report, [see appendix,] Which, on motion of Mr. Dillingham, was referred to the committee on banks.

The memorial of sundry inhabitants of Warren, relative to the license laws,

Was referred to the committee on the Rutland memorial.

The petition of one hundred and fifty-two inhabitants of Montpelier, relative to fire companies,

Was referred to the committee on military affairs.

Mr. Heywood, on leave, introduced a bill entitled

"An act directing the treasurer to pay William Stafford the sum therein mentioned,"

Which was read once and referred to the committee on claims.

The House adjourned.

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WEDNESDAY, Oct. 25, 1837.

House met pursuant to adjournment.

Prayer by Reverend Mr. Kelley. .

The journal of yesterday was read.

Mr. Sterling Sherman presented his credentials as the member from the town of Rupert, was sworn and took his seat as a member.

The judiciary committee, on the resolution relative to the regulation of entails, so as to prevent perpetuities,

Reported that any legislation upon the subject is uncalled for and inexpedient.

The committee of ways and means, on the petition of Josiah Bates,

Reported a bill entitled

"An act directing the treasurer to pay Josiah Bates the sum therein mentioned,"

Which was read twice and ordered to be engrossed and read the third time.

The land tax committee, on the petition of the inhabitants of Braintree,

Reported a bill entitled

"An act laying a tax on the town of Braintree,"

Which was read twice and ordered to be engrossed and read the third time.

The same committee, on the bill entitled

"An act laying a tax on Goshen Gore near Wheelock,"

Reported the same ought not to pass.

The report was read, the bill was read once and dismissed.

The same committee, on the bill entitled

"An act laying a tax on Newport,"

Reported the same ought to pass.

The bill was amended by erasing the words "George R. Lane," and by inserting *Asa B. Moore*, and as amended was read the second time, and ordered to be engrossed and read the third time.

The same committee, on the petition of Joseph N. Melenday and others,

Reported that the prayer thereof ought not to be granted.

The report was concurred in, and leave to withdraw was granted.

The select committee on the bill entitled

"An act relating to the grand list of New Haven,"

Reported that the same ought to pass.

The report was read and concurred in, and the bill read the second time and ordered to be engrossed and read the third time.

The committee of insolvency, on the bill from the Senate entitled

"An act relating to prisons and jail yards,"

Reported the same ought to be amended by striking out the second section and inserting two new sections.

And the bill and amendments were ordered to be laid on the table.

A message from the Senate, by Mr. Williams, their secretary :

Mr. SPEAKER : The Senate concur with the House of Representatives in passing the following bills :

"An act for the relief of Silas B. Webster."

"An act relating to the state house."

"An act laying a tax on Brunswick."

"An act in addition to an act incorporating the Norwich University."

They also concur in passing a bill entitled

"An act laying a tax on Wenlock," with a proposed amendment.

And the proposed amendment to the last mentioned bill was concurred in by the House.

The bill from the Senate entitled

"An act in addition to an act in relation to the choice and duty of town officers,"

Was read the third time and passed.

Engrossed bills of the following titles were severally read the third time and passed :

"An act directing the treasurer to pay Harvey Bell the sum therein mentioned."

"An act compensating the superintendant of the Vermont state's prison," and

"And an act relating to pedlers."

The committee of claims, on the account of Thomas Emerson,

Reported a bill entitled

"An act directing the treasurer to pay Thomas Emerson the sum therein mentioned."

The report was read, the bill read twice and ordered to be engrossed and read the third time.

The committee of claims, on the petition of Joseph Beeman,

Reported that the petitioner have leave to withdraw his petition.

The report was read, and the petitioner had leave to bring in a bill.

Mr. Vilas, from the committee on bills, reported to the House that the following bills had this day been presented to the Governor for his approbation and signature :

"An act to pay William P. Russel the sum therein mentioned."

"An act in addition to an act entitled 'an act to provide for the re-

ceipt and distribution of the public money of the United States which may be deposited with this state," and

"An act in addition to an act entitled an act to incorporate the village of Brattleboro'."

The commissioners of the University of Vermont made the following

## REPORT:

*To the Legislature of the State of Vermont:*

The undersigned commissioners appointed, pursuant to law, to attend the annual examination of the University of Vermont, and inquire into the state of its funds and regulations, beg leave to submit the following report:

In executing the duty imposed upon us, it seemed important, in order that our inquiries and observations might be properly directed, to keep in view the great ends regarded in the establishment of this and similar institutions, and the means by which these ends ought to be attained. The history of our New England colleges shows us that they are intended to be places where, from generation to generation, our youth of all conditions, the rich and the poor alike, can assemble and enjoy, on terms of the most perfect equality, with each other, during an important period of their lives, the same advantages for obtaining that sound intellectual and moral culture which is usually called a liberal education.

The importance of this object, as affecting all the peculiar social and political institutions of our country, as essential for the preservation and nurture of our civil and religious liberties, is unquestioned and need not be enforced.

To accomplish this great end, there needs to be attached to each of our colleges a sufficient number of competent and faithful instructors. There must be, moreover, an accumulation of other means of acquiring knowledge. Their libraries should embrace as wide a range of information as possible on subjects, which any teacher or pupil, and in fact any person in the community, needs to investigate. There should be also such other apparatus as shall suffice to illustrate and determine the laws of the natural world and to shew how those laws can be rendered subservient to the benefit of mankind. Some of the points of inquiry, which would be suggested by the foregoing considerations, received particular attention by the commissioner of the last year, to whose report, published in the journal of the House of Representatives, we beg leave to refer, as exhibiting a view of the institution, worthy of special attention.

In regard to the number of professors employed, we found that there had been no change. We are well aware that some other colleges in our country employ no more teachers than have been employed, thus far in this institution; but it is manifest that they are too few and that the duties imposed upon and executed by the faculty of the institution are too arduous, and nothing but a want of means to increase their number can justify the corporation in delaying to appoint additional professors.

Of the competency and faithfulness of those who have labored in it for years past and who are still employed in the various departments of instruction, saying nothing of what their general reputation may be for literary and scientific attainments, it may be fair for us to draw some conclusion from the exhibition of the students at the annual examination, which furnished the most interesting and satisfactory proof of the assiduity of the scholars and the fidelity and ability of the instructors.

That the faculty of this institution aim also, to inculcate on the minds of the young men under their charge such principles of patriotism and virtue as ought to fill the bosom of every American citizen, and as are most important to such as are destined to exert an influence in public life, is, we think, to be inferred from the literary productions of the graduating and junior classes at the last commencement occasion.

The report of last year contained a clear exhibition of the state of the institution in reference to its pecuniary resources. No change in its condition in this respect, worthy of notice, has taken place. That the strictest economy will not enable its annual expenses to be met from its annual income, is most evident, and it is equally so, that its expenditures ought to be increased in order to accomplish what is desirable for the good of the community. One thing is certain,—that the increase of its means ought not to be sought by increasing the amount to be paid by individual students for tuition. It is essential to an American college, that it be accessible on easy pecuniary terms, and whenever this state of things is altered, the very foundation of our freedom may be considered in danger.

We are well aware that repeated applications have been made to the Legislature of this state for aid to its public seminaries of learning, but we believe always without success. Saving the reservation, in the early history of the state of some wild lands, for such purposes (and considering their small value at that time, that must be reckoned of small amount,) this state has done little or nothing, for the founding and building up of its academies and colleges. In this respect, its legislation has been peculiar. Other states have done and are doing differently every year. We think it deserves a serious inquiry whether the policy hitherto pursued will not prove, in the end, if persevered in, detrimental to the best interests of its citizens.

On this point we beg leave to draw the special attention of the General Assembly, to one particular, in the financial concerns of the University. We find that some time since, it borrowed from the school fund of this state, to sustain itself in its necessities, two thousand dollars, on which it has been paying annual interest, for several years. Whatever ground there may have been in former years, for wishing to have the school fund increased, there certainly appears to be no good reason why, after the ample appropriation made, at the last session, for the support of our common schools, this small claim on the University should not be relinquished, and we beg leave to express our earnest hope that a bill for that purpose may be sustained and become a law at this session of the Legislature.

NORMAN WILLIAMS,  
ANDREW TRACY.

October, 1837.

Which was referred to the committee of ways and means.

The memorial of inhabitants of Chester, relative to the right of trial by jury,

Was referred to the judiciary committee.

The memorials of Moses Kittridge and 144 others, of Sally Johnson and 187 others, of Edward A. Reed and 101 others, and of Thomas F. Hammond and 50 others,

Were severally referred to the committee on the Rutland memorial.

The petitions of Luther Clark and others, of Silas Wiggins and others, and of M. G. Harrington and others,

Were severally referred to the committee on the Putney memorial.

Mr. Allen of Westminster, introduced the following resolution :

*Resolved*, That the general committee be requested to examine into the expediency of requiring the several towns within this state to cause or procure a survey of all the division lines between the said towns, within the year A. D. 1838, and once in every ten years thereafter, at the expense of the several towns between which any part of said lines may be situated, and report by bill or otherwise.

Which was read and passed.

The committee of ways and means, on the petition of Nathaniel West and others,

Reported a bill entitled

"An act for the relief of Japhet Gray, Nathaniel West and Ira Brainard."

The report was read and concurred in, the bill read twice, and ordered to be engrossed and read the third time.

Mr. John Schoff, the member from Brunswick, had leave of absence for the remainder of the session, from and after to-morrow morning.

Mr. Needham called up the bill entitled

"An act in relation to and extending the liberties of the jail yards in this state,"

Which was read the second time and ordered to be engrossed and read the third time to-morrow morning.

Mr. Needham called up the bill entitled

"An act to abolish imprisonment for debt,"

Which was read once and ordered to be laid on the table.

The auditor of accounts against the state had leave of absence for the remainder of the session from and after to-morrow morning.

The committee of claims, on the bill entitled

"An act directing the treasurer to pay O. H. Watson the sum therein mentioned,"

Reported the same ought not to pass.

The report was read and the bill was dismissed.

The House adjourned.

#### AFTERNOON.

House met pursuant to adjournment.

The Speaker announced the appointment of the following committee to make up the debentures of this House :

Messrs. Kidder, Wheelock, Westover, Baldwin, Carpenter of Ferrisburg, Gillet, Flagg, Vincent, Darling, Barr, Hopkinson, Brown of Eden, Rich of Maidstone, and Butler.

The petition of inhabitants of Jericho, for a company to manufacture sugar from beets,

Was referred to the committee on manufactures.

The petition of Norman Cleaveland, to be restored to his legal privileges, and

The petition of inhabitants of Randolph upon the same subject,

Were severally referred to the general committee.

Mr. Kittridge offered the following resolution :

*Resolved*, That the committee on education be instructed to enquire into the expediency of purchasing at the expense of the state, either or both of the paintings of the portrait of General Washington, which are now being exhibited in the state house, said committee to report by bill or otherwise.

Which was read and passed.

Mr. Hopkins introduced the following resolution :

*Resolved*, That Thursday next, the 26th instant, at 3 o'clock P. M., be now designated as a suitable time for the election, by the House of Representatives, of an auditor in the treasury department, and that it be so ordered.

Which was read and passed.

The bill entitled

"An act relative to common schools,"

Was ordered to be engrossed and read the third time to-morrow afternoon.

Mr. Smith of Clarendon called up the bill entitled

"An act to incorporate the Wallingford manufacturing company."

Mr. Field of Wilmington offered to amend the bill by adding the following section :

Sec. 5. It is hereby further enacted, That all the bonds, bills, notes, promises or agreements which shall be made and executed by said corporation, shall be deemed and holden, to be the joint contract, promise or agreement of the individual members of said corporation, and whenever any judgment shall have been obtained against said corporation, and execution shall thereupon issue, and demand thereof shall be made by the officer holding the same in the manner now pointed out by law, if the same shall not be duly paid or property turned out sufficient to satisfy the same, it shall be the duty of such officer, and he is hereby empowered to procure and levy such execution on the goods, chattels or estate, and for want thereof, on the bodies of the individual members or stockholders of said corporation, and proceed to the collection of said execution in the same manner as if said judgment had been rendered against such members or stockholders by name.

And the bill, on motion of Mr. Kittridge,

Was referred to the next session of the legislature.

The committee on manufactures, on the bill from the Senate entitled

"An act to incorporate the Springfield paper company,"

Reported the same ought to pass.

The report was read, and the bill, on motion of Mr. Field of Wilmington,

Was ordered to be laid on the table,

The committee on roads and canals on the bill entitled



"An act giving further time to Worcester and Elmore to make a road,"

Reported the same ought not to pass.

The report was read and the bill was ordered to be laid on the table.

Two petitions of the inhabitants of Danville, relative to the license laws,

Were referred to the committee on the Rutland memorial.

Engrossed bills of the following titles were severally read the third time and passed :

"An act directing the treasurer to pay Samuel B. Booth the sum therein mentioned."

"An act laying a tax on lands in Duxbury."

"An act laying a tax on Granville, late Kingston, in the county of Addison."

"An laying a tax on Granby, in Essex county," and

"An act laying a tax on the lands in Guildhall."

Mr. Cardell, on leave, introduced a bill entitled

"An act relating to the finding of bees,"

Which was read once and referred to the general committee.

Mr. Brewster called up the bill entitled

"An act relating to the grand list."

Mr. Dewey offered an amendment, and the bill and amendment were ordered to be laid on the table.

Mr. Partridge called up his resolutions relating to the banks,

Which on motion of Mr. Fairbanks, were again ordered to be laid on the table, and made the special order of the day for to-morrow afternoon.

Mr. Dee called up his resolution relative to the constitutional power of the Legislature to interdict the traffic in ardent spirits in this state,

Which was again ordered to be laid on the table.

Mr. Vilas, from the committee on bills, reported to the House that bills of the following titles had this day been presented to the Governor for his approbation and signature :

"An act in addition to an act incorporating the Norwich University."

"An act laying a tax on the lands in Wenlock."

"An act to revive an act laying a tax on the lands in Elmore."

"An act laying a tax on the lands in Brunswick,"

"An act relating to the state house," and

"An act for the relief of Silas B. Webster,"

The House adjourned.

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THURSDAY, Oct. 26, 1837.

House met pursuant to adjournment.

Prayer by the Reverend Mr. Kellogg.

The journal of yesterday was read.

On motion of Mr. Parker of Bradford, it was ordered that the reading of the journal for the remainder of the session, unless specially ordered, be dispensed with.

Mr. Parker of Bradford, from the committee of claims, in pursuance of an order of the House, presented a bill entitled

"An act for the relief of Joseph Beeman,"

Which was read once and ordered to be laid on the table.

Mr. Elliot introduced the following resolution:

*Resolved*, That it is expedient to abolish special pleading in civil actions.

And on the question Shall the resolution pass? the yeas and nays were demanded and were as follows:

Those who voted in the affirmative are Messrs.

Adams of Brookline	Culver	Howe of Vernon
Adams of Grand Isle	Currier	Hulett
Ames	Darling	Huntoon
Appleton	Davis	Hutchinson
Ashley	Dawson	Jackman
Atkins	Dec	Ketchum
Atwood	Doud	Kidder
Averill	Drake	Lawrence
Bacon	Duncan	Lockwood
Baker	Eaton of Granville	Manning
Barber	Eaton of Stockbridge	Martin
Barr	Edgerton	May
Bemis	Elliot	McLaughlin
Bingham	Ellsworth	McMillan
Bloomer	Emery	Miner
Bond	Everts	Moore of Fairlee
Boutell	Farrington of Walden	Moore of Newport
Bowman	Field of Benson	Morrill
Brigham	Field of Chester	Moulton
Brown of Worcester	Field of Jerico	Needham
Brownell	Field of Wilmington	Nelson of Ryegate
Buck	Fisk	Nelson of Wheelock
Bucklin	Flagg	Paige
Bushnell	Flint	Palmer
Butler	French of Bloomfield	Parker of Bradford
Cady	Gibson	Parker of Underhill
Capron	Gillett	Partridge
Cardell	Goodrich of Hardwick	Peabody
Carpenter of Ferrisburg	Hardy	Pennock
Carpenter of Moretown	Hartwell	Pierce
Church	Hatch	Pineo
Clark	Hewett of Pomfret	Pope
Coe	Hewes	Potter
Coggswell	Hicks	Raymond
Cole	Hill	Rice
Colton	Hinman	Richardson
Corliss	Holden	Richmond
Cory	Hovey	Robbins
Cummings	Howe of Lunenburg	Safford

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Scott	Stevens of Newbury	Wheeler
Sears of Morristown	Town of Somerset	Wiley of Weston
Sears of Richford	Town of Woodbury	Wilson
Seaver	Tracy	Winchester
Seymour	Tyler	Winslow
Sherman	Vincent	Woodbury of Bethel
Smith of Monkton	Walker	Worden—140.
Smith of Sheffield	Warner	
Stevens of Essex	Wheelock	

Those who voted in the negative are Messrs.

Allen of Irasburgh	Farman	Samson
Ayres	Foot	Sleeper
Baldwin	Foster	Smith of Fairfield
Ballard	French of Williston	Smith of St. Albans
Bachelor	Hapgood	Tilden
Blodgett	Harmon	Town of Mansfield
Bradley	Harwood	Townsend
Briggs	Hopkins	Vilas
Brown of Eden	Kellogg	Westover
Byington	Mason	Wiley of Landgrove
Chittenden	Paul	Wood of Westford
Colby	Peck	Woodbury of Baltimore
Dillingham	Rich of Shoreham	40.
Fairbanks	Rockwell	

So it was determined in the affirmative.

A message from the Governor, by Mr. Manser, secretary of civil and military affairs :

MR. SPEAKER : I am directed to communicate to the House of Representatives, a message from his Excellency the Governor.

A message from the Senate, by Mr. Williams, their secretary :

MR. SPEAKER : The Senate ask the concurrence of the House of Representatives, to a bill entitled

“An act relating to the levy of executions.”

The following communication from the Governor was read,

EXECUTIVE CHAMBER, }  
Oct. 26, 1837. }

SIR : I have the honor to inform the House of Representatives, that I have appointed Allen Wardner, Esq., of Windsor, treasurer of the state, to supply the vacancy in that office, until the same can be filled in the manner directed by law, or the constitution of this state.

I am, very respectfully,

Your obedient Servant,

S. H. JENISON.

Hon. SOLOMON FOOT, Speaker of the House of Representatives.

The bill from the Senate entitled

“An act relating to the levy of executions,”

Was read twice and ordered to be read the third time to-morrow morning.

The judiciary committee, on the bill from the Senate entitled

“An act to provide for the revision of the laws of this state,”

Reported the same ought to be amended and pass.

The report was read, the bill amended as proposed by the committee, and read the second and third time as amended, and passed.

The committee on Agriculture, on the resolution relating to the growing of wheat,

Reported a bill entitled

“An act for encouraging the growth of wheat,”

Which was read once.

Mr. Field moved to dismiss the bill, and on the question Shall the bill be dismissed? the yeas and nays were demanded and were as follows:

Those who voted in the affirmative are Messrs.

Adams of Brookline	Darling	Jackman
Adams of Grand Isle	Davis	Kellogg
Allen of Irasburgh	Dawson	Ketchum
Allen of Westminster	Dillingham	Lockwood
Atkins	Doud	Manning
Averill	Drake	Mason
Ayres	Eaton of Granville	May
Bacon	Edgerton	McLaughlin
Bailey	Elliot	McMillan
Barber	Ellsworth	Miner
Barr	Emery	Needham
Belding	Everts	Nelson of Ryegate
Bingham	Farman	Palmer
Blodgett	Farrington of Walden	Parker of Bradford
Bond	Field of Chester	Parker of Underhill
Boutell	Field of Wilmington	Partridge
Bowman	Flagg	Peabody
Briggs	Fletcher	Peck
Brownell	Flint	Pennock
Bucklin	Foot	Pierce
Burgess	French of Bloomfield	Pope
Bushnell	Fuller	Potter
Butler	Gibson	Raymond
Cady	Gillet	Rice
Capron	Goodrich of Alburgh	Rich of Maidstone
Cardell	Goodrich of Hardwick	Rich of Shoreham
Carpenter of Ferrisburg	Hardy	Richardson
Carpenter of Moretown	Hartwell	Robbins
Chittenden	Hatch	Robinson
Church	Hayward	Safford
Clark	Hewett of Charlotte	Samson
Coe	Hewes	Scofield
Colby	Hicks	Sears of Morristown
Cole	Hinman	Sears of Richford
Colton	Holden	Seaver
Corbin	Houghton	Seymour
Corliss	Hovey	Sleeper
Cory	Howe of Lunenburg	Smith of Fairfield
Cummings	Howe of Vernon	Smith of Monkton
Culver	Hulett	Snyder
Currier	Hutchinson	Stevens of Essex

Tilden	Wheelock	Wood of Springfield
Town of Somerset	Wiley of Weston	Woodbury of Baltimore
Trull	Wilson	133.
Tyler	Winchester	
Webster	Winslow	

Those who voted in the negative are Messrs.

Adams of Westhaven	Field of Benson	Paul
Appleton	Field of Jerico	Pineo
Ashley	Fisk	Richmond
Atwood	Hapgood	Rockwell
Baker	Harmon	Scott
Baldwin	Harvey	Sherman
Ballard	Harwood	Smith of Clarendon
Bachelor	Hastings	Smith of Sheffield
Becket	Hazletine	Smith of St. Albans
Bloomer	Hewett of Pomfret	Town of Mansfield
Bradley	Hopkins	Town of Woodbury
Brown of Eden	Hopkinson	Townsey
Brown of Goshen	Huntton	Tracy
Brown of Worcester	Kidder	Vilas
Buck	Kinsley	Vincent
Byington	Lawrence	Warner
Cogswell	Martin	Westover
Crowley	Moore of Fairlee	Wiley of Landgrove
Dewey	Moore of Newport	Wood of Westford
Duncan	Morrill	Woodbury of Bethel
Eaton of Stockbridge	Moulton	Worden--67.
Fairbanks	Nelson of Wheelock	
Farrington of Brandon	Paige	

So it was determined in the affirmative.

The report of the bank commissioners was referred to the committee on banks.

Engrossed bills of the following titles were severally read the third time and passed :

"An act directing the treasurer to pay Josiah Bates the sum therein mentioned."

"An act for the relief of Japhet Gray, Nathaniel West and Ira Brainard."

"An act relative to common schools."

"An act relative to the grand list of New Haven."

"An act laying a tax on the lands in Newport."

"An act laying a tax on the lands in Braintree."

"An act directing the treasurer to pay Thomas Emerson and others," and

"An act in relation to, and extending the liberties of jail yards in this state."

The select committee, on the resolution relating to the grand list,

Reported the following resolutions :

*Resolved*, That instead of the manner in which taxes are now raised by law, all property in this state of what description soever, and by whomsoever holden, on the first day of April, in each year, excepting

articles belonging to residents in another state, and on that day actually passing and being transported through this state, and also excepting tools or implements of any trade or husbandry, to the value of one hundred and fifty dollars, wearing apparel and house-hold furniture, to the value of four hundred dollars, when in possession of the owner thereof, ought to be made liable to pay taxes, and to be put in the list of the owner or possessor thereof, at the rate of ten per centum, on the actual money value of such property, to be ascertained and assessed by assessors to be appointed by the several towns at their annual March meetings, for that purpose, subject to revision and appellate correction of a county board of commissioners, to be appointed annually by the General Assembly, the expenses of which board, in each case, to be paid by the party making application thereto.

*Resolved*, That all property holden in trust, or in any way by any person, for the benefit of another, shall be assessed to the trustee or person holding the same, and the issues, rents or proceeds, of such property, shall be put to the person to whom the same are payable; but that no person holding property in trust, or for the benefit of another, shall be liable to have the same withdrawn from his hands, until he has been tendered a sufficient indemnity against all taxes which may be assessed thereon, or been permitted to retain of such property sufficient, in his judgment, to pay the same. And that all sums reserved or secured by mortgage, lease or condition, shall be assessed to the person to whom the same is reserved. And when the same is reserved or secured upon land, the sum mentioned in such mortgage, lease or condition, shall be deemed the true sum of assessment, unless the person to or for whom the same is reserved or secured, shall, before the said first day of April, lodge with the clerk of the town in which such land is situated, a certificate that a smaller sum is due, in which case the assessors shall make the assessment conformable with the fact. And also whenever any doubt shall arise as to the value of any debts, rights or credits, so secured as aforesaid, the assessors shall be at liberty to assess the same at their just value in money.

Which were read and ordered to be laid on the table and made the special order for this afternoon.

The committee of claims, on the account of Geo. W. Peck,  
Reported a bill entitled

"An act to pay Geo. W. Peck the sum therein mentioned."

The report was read, the bill was read twice and ordered to be engrossed and read the third time.

The same committee, on the petitions of Harvey Ainsworth and Harrison Bancroft,

Reported the following bills:

"An act directing the treasurer to pay Harvey Ainsworth the sum therein mentioned," and

"An act directing the treasurer to pay Harrison Bancroft the sum therein mentioned."

The bills were severally read twice and ordered to be engrossed and read the third time.

The House adjourned.

## AFTERNOON.

The land tax committee, on the bill entitled

"An act laying a tax on East Haven,"

Reported that the same ought to be referred to the next session of the Legislature.

And the bill was ordered to be so referred.

A message from the Senate, by Mr. Williams, their secretary :

Mr. SPEAKER : The Senate have passed a resolution relating to the grand list, and ask the concurrence of the House of Representatives.

The committee of ways and means, on the bill entitled

"An act for the relief of Allen Smith,"

Reported the same ought to be amended and pass.

The bill was amended as proposed by the committee, and as amended was read the second time and ordered to be engrossed and read the third time.

The same committee reported a bill entitled

"An act in addition to an act authorising the building of a state house at Montpelier,"

Which was read once and ordered to be laid on the table.

The committee on agriculture, on the petition of the Franklin county agricultural society,

Reported a bill entitled

"An act for the promotion of agriculture in this state,"

Which was read once, and the House refused the second reading.

The House resolved to concur in passing the following resolution from the Senate :

*Resolved*, The House of Representatives concurring herein, that the committee for averaging and equalizing the grand list, be instructed to deliver the certificate of alteration of the valuation and assessments, to the representative of the town, or in case the town is not represented, to the representative of some adjoining town, wherein such alteration is made by said committee. And it shall be the duty of the representative to deliver said certificate to the listers of their respective towns, who shall be governed thereby in making up their lists, the same as if said certificates had been attached to the books containing their lists, any law, usage or custom to the contrary notwithstanding.

Mr. Partridge, on leave, introduced a bill entitled

"An act to repeal an act therein mentioned,"

Which was read and referred to the judiciary committee.

The committee on roads and canals, on the bill entitled

"An act in addition to an act entitled an act reducing into one the several acts for laying out, making, repairing and clearing highways,"

Reported the same ought to be amended and pass.

The bill was amended as reported by the committee, read twice and ordered to be laid on the table.

The committee on education, on the bill entitled

"An act relating to common schools,"

Reported the same ought not to pass.

The report was read and the bill was dismissed.

The same committee, on the bill entitled

"An act in addition to an act to provide for the support of common schools,"

Reported the same ought not to pass.

The report was read, and the House refused the second reading of the bill.

The same committee, on the resolution relative to purchasing a portrait of General Washington,

Reported a bill entitled

"An act relative to the portrait of Washington,"

Which was read once and ordered to be laid on the table.

The general committee, on the bill entitled

"An act to incorporate the farmer's and mechanic's mercantile association at Chelsea,"

Reported that the bill ought to be amended by making it at the control of all future legislature.

The bill was so amended, and on motion of Mr. Field of Wilmington, was dismissed.

A message from the Senate, by Mr. Williams, their secretary :

MR. SPEAKER : The Senate concur with the House in passing two bills, both entitled

"An act to repeal an act therein mentioned," and also,

"An act to repeal an act to preserve fish in Willoughby lake."

And also, in the proposed amendment of the House to the bill entitled

"An act to provide for a revision of the laws of this state."

The House then proceeded to elect an auditor in the treasury department for the year ensuing, and the ballots being taken, sorted and counted,

CHARLES DAVIS, ESQ.,

was duly elected.

Mr. Partridge called up his resolutions with regard to the banks,

Which, on motion of Mr. Hopkins, were again ordered to be laid on the table, and Mr. Hopkins offered the following resolution as a substitute :

*Resolved*, That in the opinion of the House, it is inexpedient and unwise to legislate upon the subject of banks or banking, at the present session of the Legislature.

Which was read and ordered to be laid on the table.

Mr. Peck introduced the following preamble and resolutions :

Whereas the freemen of this state, on the first Tuesday of September last, failed to make an election of treasurer for the state, no candidate for that office having a majority of all the votes,—and whereas the Legislature, on the 14th of October, instant, by a joint ballot of both Houses, elected Norman Williams, Esq., treasurer of the state, who declined accepting said office,—and whereas this House, on being officially informed of the non-acceptance of said office by the said Williams, passed a resolution fixing on a time for both Houses to meet in the Representatives' Hall for the purpose of electing a treasurer, in the passage of which resolution the Senate refused to concur, on the



ground that the Legislature had no authority under the constitution, to go to another election, but that it belonged to the Governor to make such appointment,—therefore,

*Resolved*, That in the opinion of this House, the Legislature under the circumstances, has the constitutional power to make another election of treasurer.

*Resolved*, That the Legislature having this power, it is their *duty* to exercise it during the present session.

*Resolved*, The Senate concurring herein, that both Houses meet in joint assembly in the Representatives' Hall, on Saturday next, at 10 o'clock, A. M., for the purpose of electing a treasurer of this state.

Which were read and ordered to be laid on the table and made the special order for to-morrow morning.

Mr. Smith of Monkton, moved to reconsider the vote refusing the second reading of the bill entitled

"An act for the promotion of agriculture in this state,"

And the motion was ordered to be laid on the table.

The House adjourned.

FRIDAY, OCT. 27, 1837.

House met pursuant to adjournment.

Prayer by Reverend Mr. Kelley.

The bill entitled

"An act for the relief of Joseph Beman,"

On motion of Mr. Smith of St. Albans, was referred to the committee on claims.

Mr. Vilas called up the resolution limiting the time in which bills may be introduced into this House, and the resolution was amended by erasing the word "Thursday" and inserting *Saturday*, and as amended, was read and passed.

Mr. Elliot introduced the following resolution :

*Resolved*, That the committee on the judiciary be instructed to report a bill to abolish special pleadings in civil actions.

Which was read, and the House refused to pass.

Mr. McLaughlin, the member from Sunderland, had leave of absence for the remainder of the session, from and after to-morrow morning.

The select committee, on the petition of the inhabitants of Windham county,

Reported a bill entitled

"An act authorizing the assistant judges of the county court for the county of Windham, to purchase for the use and benefit of said county a certain tract of land."

Which was read twice, and ordered to be engrossed and read the third time.

Mr. Adams of Grand Isle, on leave, introduced a bill entitled

"An act directing the treasurer to pay Timothy Foster the sum therein mentioned,"

Which was read once and referred to the committee of claims.

Several petitions from inhabitants of Cornwall were referred to the committee on the Putney memorial.

Memorials from Waterford, Shoreham, Brookfield and Orwell, relative to the license laws,

Were severally referred to the committee on the Rutland memorial.

A memorial from a company of infantry,

Was referred to the committee on military affairs.

The petition of Henry Williams and others,

Was referred to a select committee of five.

The select committee on the resolution instituting an inquiry, whether the banks have paid the state the proper proportion of their profits, made the following

## REPORT:

*To the House of Representatives now in session :*

The committee, to whom was referred the foregoing resolution, report that they have had the same under consideration, and from the partial examination they have been able to make touching the subject matter of enquiry, specified in said resolution, they are of the opinion, that it has been the practice of the several banks in the state, to pay into the treasury the *per cent.* required by their charters, and by other enactments, only on the amount of profits *actually divided*. But whether the amount divided among the stockholders, is all that ought to be regarded as profits, your committee are unable at this time to say : this question cannot be rightly decided, short of a full and thorough examination into the affairs of the several banks, and in order that the examination be full and satisfactory, it ought, in the opinion of your committee, to be made by the bank committee and the bank commissioner, appointed by the Legislature.

Your committee therefore report, for the consideration of the House, the accompanying resolution, and recommend the adoption of the same.

JOHN SMITH, for Committee.

The resolution is as follows :

*Resolved*, That for the purpose of ascertaining whether the several banks in this state have complied with the provisions in their several charters requiring them to pay into the treasury of this state a certain per centage of their profits, whether said profits shall have been divided or not, it shall be the duty of the bank committee and the bank commissioner appointed by the Legislature annually, to report to the Legislature, in a tabular form, the amount of bad debts, and of doubtful suspended debts of each bank in the state, the estimate of the banking houses and unavailable property, the amount of surplus or profits

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remaining undivided in each bank, on the day the last dividend shall have been declared, and the amount of surplus or profits on the day of inspection, also that said committee and commissioner be required to report whether the several banks in the state have heretofore been accustomed to pay the per centage of their profits due the state, upon the amount of their declared dividends.

The report and resolution were read and ordered to be laid on the table.

Mr. Hatch, from the same committee, made the following minority

## REPORT:

*To the House of Representatives now in session :*

The undersigned, from the committee appointed to ascertain "whether any of the banks of this state have failed to comply with the provisions of the law, requiring them to pay a portion of their profits into the treasury of the state," disagreeing with the majority of the committee in relation to the matter to be submitted to the House, respectfully reports :—

It is believed that the provisions in the charters of the several banks of this state, requiring said banks to pay a certain portion of their profits into the treasury of the state, are uniform ; except, that a part of them are required to pay six and a part ten per cent. of those profits. With this variation the law requires the banks to pay, "*semi-annually at the time, at which the directors of said bank, shall declare dividends of the profits of said bank, with the treasury of this state, for the use and benefit of this state, (six or ten per cent.) of the profits of said bank, whether all of said property shall have been divided or not.*"

In the opinion of the undersigned, this requirement of the charters of the banks, is imperative upon them to pay, semi-annually, at the time they declare dividends of those profits, as well of any amount which may remain after a dividend, as of the amount actually divided ; and that the officers of the banks have no power to withhold any portion of the sum thus due the state, upon any pretence whatever, and that an application of the whole or part of the undivided profits of a bank, out of which the state has not received the amount specified by its charter, for the benefit of such bank, is an appropriation to itself of the money of the state, equally opposed to the provisions of the law and the principles of common justice.

In the prosecution of the enquiry instituted by the House, the committee requested several gentlemen, known to be connected with some of the banks of the state, either as officers or stockholders, to appear before the committee, and communicate to them such information as might be within their knowledge, touching the subject of investigation. These gentlemen readily complied with the request of the committee, and from the statements made by them in reply to the enquiries propounded, the undersigned has arrived at the conclusion, that the practice generally prevails among the banks to pay into the treasury of the state, the rate per cent. in their profits required by their charters on their semi-annual dividends alone, at the time of making those dividends ;

and that they pay nothing to the state out of these undivided profits, except in case of a dividend of those profits. It also appears by the reports of the bank inspector and bank commissioner, for some years past, that all or nearly all of the banks have had and now have *undivided profits*, to a considerable amount, and that the amount of these undivided profits have varied from year to year.

The reason assigned before the committee for the practice pursued by the banks of paying to the state, the rate per cent. required by their charters, on the semi-annual dividends alone, and not upon the undivided profits accruing at the time of making these dividends, are, first, that it is for the safety of the banks to provide a fund to meet the losses that may accrue on notes then due or which may thereafter become due: and, second, that it is for the benefit of the state, on the ground that, notwithstanding a portion of the money belonging to the state, remains unpaid, yet that by the rapid accumulation of the amount of undivided profits, received by the state, on a dividend of those profits, the amount will be greater than if payments were made on all the profits semi-annually.

In relation to the first reason assigned for the practice of the banks, it is sufficient to say, as has been suggested before, that the law is imperative, in requiring the payments to be made on *all* the profits of the bank semi-annually, at the time of declaring dividends; and that withholding the portion which then becomes the property of the state, by operation of law, for any purposes of banks, is a manifest violation of the plain provisions of their charters. It is arresting the operation of the law for their own benefit.

In relation to the second reason assigned, it might be questioned whether the practice operates, even under the most favorable view of the subject, for the benefit of the state. If it be admitted that the rate per cent. required by the charters of the banks, on all undivided profits, be paid to the state on dividends of surplus profits made at remote periods from each other, it admits of a doubt whether the state does not lose the interest which would accrue, on the several amounts added to the undivided profits at each semi-annual dividend, from the time of such dividend, until the dividend of the surplus profits, when payments are made out of those profits to the state. Be that as it may, it is a sufficient answer to the second reason assigned to say, that, if the undivided profits are holden as security against accruing losses, as alledged in the first reason, they cannot be holden for purposes of accumulation and benefit of the state as alledged in the second reason. Losses may accrue, which may swallow up the whole of the surplus profits of the banks, and in this way, the state may be deprived of receiving any portion of them, instead of having them rapidly accumulate for their benefit. The operation of the practice pursued by the banks, manifestly is, to hold a portion of the money actually belonging to the state, as security for their losses, to be appropriated to meet these losses, when they may happen, which is, as has been before said, equally a violation of law and the principles of justice. Besides, it appears that some of the banks claim to have their banking houses and cost of plates, &c., as items of expenditure, deducted from their surplus profits, before any dividends of them are declared. This is in effect appropriating a portion of the money of the state to pay for property which they retain in their own hands.

In some cases where banks are reported to have a moderate amount of undivided profits, it is stated that they have met with losses which should go to reduce those profits. In one case, where a bank is reported to have had a considerable amount of surplus in 1835, less in 1836, and less in 1837, the correctness of the report is denied altogether. In another case, where a bank is reported to have had between five and six thousand dollars surplus in 1836, it is alleged that no surplus existed. In another case, where the bank is reported to have had upwards of \$14,000 surplus in 1836, the amount reported is stated to be too large by \$10,000, the error having been made, as is alleged, by the inspectors adding to the undivided profits \$10,000, which had been taken from the capital stock of the bank, instead of its undivided profits; and invested in the stock of another bank. Such discrepancies, between the reports of the inspector and commissioner, made to the Legislature upon oath, and the statements made by the officers of the banks, shew the necessity of a thorough investigation; at least, into the situation of the banks, in relation to their undivided profits, by the proper officers.

It was stated before the committee in relation to a bank which is reported to have something over \$2,000 surplus profits, that the bank has declared no dividends since July 1836, and has paid nothing to the state on its surplus since that time. It was also stated in relation to another bank, that it has divided four per cent. semi-annually, ever since its incorporation; besides which, it has divided, at three different times, \$20,000 of surplus profits, of which the state has been paid the amount due at the rate *per cent.* required by the charter, although not at the time required by the law. Annexed to this report is a table, showing the amount the banks have severally paid into the treasury of the state, annually, since the year 1834, as well as the amount of undivided profits, possessed by each bank, from the same period.

The undersigned, deeming it due to the public interest, and the rightful supremacy of the law over corporations as well as individuals, that the evil, into which the committee were directed to enquire, should be more thoroughly probed, in order that its extent may be fully known, and an adequate remedy applied, recommends the adoption of the following resolution:

*Resolved*, the Senate concurring herein, that the bank committee and bank commissioner appointed by the General Assembly at their present session, be empowered and directed to examine the books, papers and vaults, and any officer or officers, of the several banks in this state, under oath; to ascertain what amount of dividends have been declared by each bank from the surplus profits of such bank; and whether that portion of such dividends belonging to the state, has been paid into the treasury thereof or not: also, to ascertain if any bank or banks have invested any portion of their surplus profits in stocks or otherwise, and if so invested, what amount has been paid into the treasury of the state on the amount of surplus profits so invested: also, to ascertain if any bank or banks have deducted as items of expenditure, the cost of their banking house and plates, from their surplus profits, and if so deducted, what amount has been withheld thereby from the state, by each bank; and that the said committee and commissioner be directed to report the facts in relation to each specific subject of enquiry embraced in this resolution, to the Legislature of this state at their next session.

The foregoing is respectfully submitted, by

ROYAL HATCH.

## TABLE

*Showing the undivided profits and the amount paid the state by the Vermont banks for the years 1834, '35, '36 & '37.*

	UNDIVIDED PROFITS.				AM'T PAID INTO TREAS.			
	1834	1835	1836	1837	1834	1835	1836	1837
Burlington Bank	\$9,823	9,514	7,138	9,243	494 46	513	809 71	1637 10
Windsor do	6,136	3,364	5,846	12,166	384	384	384	384
Brattleboro' do	8,860	9,396	12,932	12,727	600	420	180	900
Rutland do	17,120	12,556	12,642	3,919	420	480	1080	480
Middlebury do	2,057	1,989	4,073	3,746	600	200	742 25	240
St. Albans do	2,095	3,602	7,354	12,611	360	240	240	384
Montpelier do		3,125	3,620	5,933	120	240	240	240
Caledonia do		4,233	14,487	5,454	180	198	216	222
Vergennes do	2,009	1,968	6,946	4,181	306	288	488	384
Bennington do	5,340	3,820	5,595		360	360	360	636 36
Woodstock do	2,365	4,362	4,185	1,463	600	400	400	400
Orange co. do	9,249	8,672	13,581	18,499	192	240	240	240
Orleans do	462	5,013	1,066	1,600		210	90	150
Manchester do	496	652	410	731	149 47	439 88	495 92	757 53
Bellows Falls	5,025	4,264	7,416	8,784	600	200	400	400
Newbury do	1,450	1,004		2,559	250	200	400	200
Essex do	205	2,026	not rep.	2,001		102 98	167 48	
Farmers' & Mech'cs		1,323	1,196	3,026		300	84C	
Farmers' (Orwell)		036	1,117	3,179		201	403 28	543 68

NOTE.—The foregoing was taken from the treasurer's account and the bank inspector's and bank commissioners' report, as appears by the journals of the House for the years 1834, '35, '36, and the treasurer's books in 1837.

The report and resolution were read and ordered to be laid on the table.

The motion to reconsider the vote refusing the second reading of a bill entitled

"An act for the promotion of agriculture,"

Was taken up, and the House refused to reconsider the vote.

Mr. Field of Wilmington called up the resolutions reported by the select committee, on the grand list.

Mr. Smith of St. Albans, moved to lay the resolutions on the table,

And on the vote being taken it was determined in the negative.

Mr. Fullam moved to amend the first resolution by erasing the word "April" and inserting *February*.

Mr. Dillingham moved to lay the resolutions on the table,

And on the vote being taken it was determined in the negative.

Mr. Chittenden moved the House adjourn,

And on the vote being taken it was determined in the negative.

Mr. Adams of Grand Isle, moved to amend the amendment by inserting *June* for "*February*," which was withdrawn.

Mr. Briggs moved to dismiss the resolutions,

And on the vote being taken it was determined in the negative.

And on the question Shall the amendment be adopted? the yeas and nays were demanded and were as follows:

Those who voted in the affirmative are Messrs.

Buck	Harwood	Paige
Byington	Hastings	Pope
Coggswell	Hewett of Charlotte	Raymond
Fisk	Hopkinson	Robbins
Fullam	Houghton	Tyler—17.
Haggood	Manning	

Those who voted in the negative are Messrs.

Adams of Brookline	Corbin	Hovey
Adams of Grand Isle	Cory	Howe of Lunenburg
Allen of Irasburgh	Crowley	Howe of Vernon
Allen of Westminster	Cummings	Huntoon
Ames	Culver	Hutchinson
Atkins	Currier	Jackman
Atwood	Darling	Keith
Averill	Davis	Kellogg
Ayres	Dawson	Kidder
Baldwin	Dee	Kinsley
Ballard	Dewey	Kittredge
Barr	Dillingham	Lawrence
Bachelor	Drake	Leonard
Beckett	Eaton of Stockbridge	Lockwood
Belden	Edgerton	Mason
Bemis	Elliot	Martin
Bingham	Ellsworth	May
Blodgett	Everts	McLaughlin
Bloomer	Farman	McMillan
Bond	Farrington of Brandon	Miner
Boutell	Farrington of Walden	Moore of Newport
Bowman	Field of Benson	Morrill
Bradley	Field of Jerico	Moulton
Briggs	Field of Wilmington	Needham
Brigham	Flagg	Nelson of Ryegate
Brown of Eden	Foot	Nelson of Wheelock
Brown of Goshen	Foster	Palmer
Brown of Worcester	French of Bloomfield	Parker of Bradford
Brownell	Gibson	Parker of Underhill
Bucklin	Gillett	Partridge
Bullock	Goodrich of Hardwick	Paul
Burgess	Hardy	Peabody
Bushnell	Harmon	Peck
Capron	Hartwell	Pennock
Cardell	Hatch	Pierce
Carpenter of Ferrisburg	Hayward	Pineo
Carpenter of Moretown	Hazeltine	Potter
Chittenden	Hewett of Pomfret	Rice
Church	Hewes	Rich of Maidstone
Clark	Hicks	Rich of Shoreham
Coe	Hill	Richardson
Colby	Hinman	Richmond
Cole	Holden	Rockwell
Colton	Hopkins	Safford

Scofield	Snyder	Warner
Scott	Stevens of Essex	Westover
Sears of Morristown	Stevens of Newbury	Wheelock
Sears of Richford	Town of Mansfield	Wiley of Landgrove
Seaver	Town of Somerset	Wiley of Weston
Seymour	Townsley	Winchester
Sherman	Tracy	Winslow
Smith of Clarendon	Trull	Wood of Springfield
Smith of Fairfield	Vilas	Wood of Westford
Smith of Monkton	Vincent	Woodbury of Baltimore
Smith of Sheffield	Walker	Worden—163.

So it was determined in the negative.

Mr. Dillingham proposed to amend the first resolution by striking out the following words: "And, also, excepting tools or implements of any trade or husbandry, to the value of one hundred and fifty dollars, wearing apparel and household furniture to the value of four hundred dollars, when in the possession of the consumer thereof."

Which was adopted.

Mr. Fisk proposed to amend the first resolution by adding the words "except wearing apparel."

Which was adopted,

And the resolutions as amended were read and passed.

A message from the Senate, by Mr. Williams, their secretary:

Mr. SPEAKER: the Senate concur with the House in passing the resolution exempting militia polls in Guildhall, also in passing the following bills:

"An act laying a tax on lands in Bradleyvale,"

"An act directing the Treasurer to pay Josiah Bates the sum therein mentioned," and also in passing a bill entitled

"An act laying a tax on the lands in Troy," with a proposed amendment.

Mr. Vilas, from the committee on bills, reported to the House that the following bills had this day been presented to the Governor for his approbation and signature:

"An act providing for a revision of the laws of this state."

"An act to repeal an act therein mentioned."

"An act repealing an act entitled an act to preserve fish in Willoughby lake," and

"An act to repeal an act therein mentioned."

The House adjourned.

#### AFTERNOON.

House met pursuant to adjournment.

The Speaker announced the appointment of the following select committee, on the petition to annex a part of Moretown and Berlin to Northfield:

Messrs. Colby, Averill, Carpenter of Moretown, Ketchum and Gibson.



The proposed amendment of the Senate to the bill entitled  
 "An act laying a tax on the lands in Troy,"  
 Was concurred in by the House.

Engrossed bills of the following titles were severally read the third time and passed :

"An act for the relief of Allen Smith."

"An act directing the treasurer to pay George H. Peck the sum therein mentioned."

"An act directing the treasurer to pay Harrison Bancroft the sum therein mentioned," and

"An act directing the treasurer to pay Harvey Ainsworth the sum therein mentioned," and

"An act to authorize and empower the assistant judges of the county court of the county of Windham, to purchase for the use and benefit of said county, a certain tract of land."

The committee of ways and means, on the petition of Silas Willard and others,

Reported that the petitioners have leave to bring in a bill.

And leave to bring in a bill was granted.

The same committee, on the bill entitled

"An act to repeal an act entitled an act for the benefit of common schools,"

Reported that the bill ought to be referred to the next session of the General Assembly.

And the bill was ordered to be laid on the table.

The committee of insolvency, on the resolution to regulate the assignment and distribution of the property of insolvent debtors,

Reported that the bill heretofore reported by them upon that subject, embraced all the law that is necessary upon that subject, and recommended the passage of the aforesaid bill.

The committee on roads and canals, on the petition of the Centre Turnpike Company,

Reported a bill entitled

"An act in addition to an act entitled an act incorporating the Centre Turnpike Company,"

Which was read twice, and ordered to be engrossed and read the third time.

The general committee made the following reports :

On the bill entitled

"An act relating to the finding of bees,"

That the same ought not to pass, and the bill was dismissed.

On the bill entitled

"An act to repeal an act therein mentioned,"

That the same ought to pass, and the bill was read the second time and ordered to be engrossed and read the third time to-morrow after noon.

On the bill entitled

"An act authorizing the surveyor general to examine, survey and settle the boundary line between the town of Wilmington and the towns of Readsboro' and Searsburg,"

That the same ought to pass, and the bill was read the second time

and ordered to be engrossed and read the third time to-morrow afternoon.

On the bill entitled

"An act altering the name of John Wakefield,"

That the same ought to pass, and the bill was read the second time and ordered to be engrossed and read the third time.

On the bill entitled

"An act in addition to an act entitled an act regulating the collection and payment of taxes, passed Oct. 17, 1797,"

That the same ought not to pass, and the bill was dismissed.

On the resolution relative to the surveying of town lines,

That no legislation was necessary.

The judiciary committee, on the bill entitled

"An act to amend and reduce into one act several acts relating to the corporation of the city of Vergennes,"

Reported the same ought to pass, and the bill was read twice and ordered to be engrossed and read the third time.

The committee of claims, on the bill entitled

"An act for the relief of Lewis Tucker,"

Reported the same ought not to pass, and the House refused the second reading of the bill.

The select committee, on the report of the Vermont Asylum for the Insane,

Reported a bill entitled

"An act concerning the Vermont Asylum for the Insane,"

Which was read twice and ordered to be laid on the table.

The remonstrance of Samuel C. Crafts and others, of Elbridge G. Johnson and others, of S. H. Hemmenway and others, of N. Colby and others, of L. Kimball and others, and of Jefferson Butler and others,

Were severally referred to the committee on roads and canals.

Mr. Kittridge called up the bill entitled

"An act relative to a portrait of Washington,"

And on the question Shall the bill be read the second time? the yeas and nays were demanded and were as follows:

Those who voted in the affirmative are Messrs.

Allen of Irasburgh	Briggs	Darling
Allen of Westminster	Brigham	Dewey
Ames	Brown of Goshen	Dillingham
Appleton	Brown of Worcester	Doud
Ashley	Burgess	Duncan
Atwood	Bushnell	Eaton of Granville
Ayres	Byington	Ellsworth
Ballard	Capron	Everts
Bachelor	Carpenter of Ferrisburg	Fairbanks
Becket	Carpenter of Moretown	Farman
Bebee	Chittenden	Farrington of Brandon
Bemis	Cogswell	Field of Benson
Bouteli	Colby	Field of Jerico
Bowman	Cole	Fisk
Bradley	Cory	Fletcher
Brewster	Cummings	Foot

S

Foster	Kittredge	Richmond
French of Williston	Lance	Sears of Richford
Fuller	Lawrence	Seymour
Goodrich of Alburgh	Leonard	Smith of Fairfield
Harmon	Lockwood	Smith of Monkton
Harvey	Manning	Smith of Sheffield
Harwood	Martin	Smith of St. Albans
Hastings	McMillan	Stevens of Essex
Hatch	Miner	Tilden
Hazletine	Moulton	Town of Woodbury
Hewett of Charlotte	Needham	Webster
Hewett of Pomfret	Nelson of Ryegate	Westover
Hinman	Paige	Wheeler
Hopkins	Partridge	Wiley of Landgrove
Hovey	Paul	Wiley of Weston
Huntoon	Peabody	Wood of Springfield
Jackman	Peck	Wood of Westford
Keith	Raymond	Worden—106.
Kellogg	Rice	
Kidder	Rich of Shoreham	

Those who voted in the negative are Messrs.

Adams of Grand Isle	Field of Chester	Pierce
Adams of Westhaven	Field of Wilmington	Pineo
Atkins	Flagg	Pope
Averill	French of Bloomfield	Potter
Bacon	Gibson	Rich of Maidstone
Baker	Gillet	Richardson
Baldwin	Goodrich of Hardwick	Rockwell
Barber	Hapgood	Safford
Belding	Hardy	Samson
Bingham	Hartwell	Scofield
Blodgett	Hayward	Scott
Bloomer	Hewes	Sears of Morristown
Bond	Hicks	Seaver
Buck	Hill	Sherman
Bucklin	Holden	Smith of Clarendon
Bullock	Hopkinson	Snyder
Butler	Houghton	Town of Mansfield
Coe	Howe of Lunenburg	Town of Somerset
Colton	Howe of Vernon	Trull
Corbin	Hulett	Tyler
Corliss	Hutchinson	Vilas
Crowley	Kinsley	Vincent
Culver	Mason	Walker
Currier	May	Warner
Davis	Moore of Fairlee	Wheelock
Dawson	Moore of Newport	Wilson
Dee	Morrill	Winchester
Drake	Nelson of Wheelock	Winslow
Eaton of Stockbridge	Palmer	Woodbury of Baltimore
Edgerton	Parker of Bradford	Woodbury of Bethel
Emery	Parker of Underhill	
Farrington of Walden	Pennoek	

So it was determined in the affirmative.

And the bill was read the second time, and ordered to be engrossed and read the third time.

A message from the Senate, by Mr. Williams, their Secretary :

MR. SPEAKER : The Senate concur with the House of Representatives in passing the following bills :

" An act directing the treasurer to pay Harvey Bell the sum therein mentioned."

" An act directing the treasurer to pay Thomas Emerson and others the sum therein mentioned."

" An act directing the state's treasurer to pay Moses King the sum therein mentioned."

" An act relative to the grand list of New Haven."

" An act relative to pedlars," and

" An act to settle the boundary line between Elmore and Worcester," with a proposed amendment.

Mr. Field of Wilmington, on leave, introduced a bill entitled

" An act to pay John Roberts a certain sum,"

Which was referred to the committee of claims.

The proposed amendment of the Senate to the bill entitled

" An act to settle the boundary line between Elmore and Worcester,"

Was concurred in by the House.

Mr. Vilas, from the committee on bills, reported to the House that the following bills had this day been presented to the Governor for his approbation and signature :

" An act relating to pedlars."

" An act directing the treasurer to pay Harvey Bell the sum therein mentioned."

" An act laying a tax on the lands in Troy."

" An act directing the treasurer to pay Thomas Emerson the sum therein mentioned."

" An act directing the state's treasurer to pay Moses King the sum therein mentioned."

" An act relative to the grand list of New Haven."

" An act laying a tax on the lands in Bradleyvale," and

" An act directing the treasurer to pay Josiah Bates the sum therein mentioned."

Mr. Hatch called up the report and resolution of the select committee, raised to inquire whether the banks of this state have paid the share of their profits into the state treasury, as required by law—

And moved to amend the resolution reported by the majority of the committee, by striking out all after the word "Resolved" and insert the resolution reported by the minority of the committee, excepting the word "Resolved,"

And on the question Shall the amendment be adopted? the yeas and nays were demanded and were as follows :

Those who voted in the affirmative are Messrs.

Adams of Grand Isle	Atkins	Bacon
Ames	Atwood	Barber
Appleton	Averill	Barr

Belden	Hardy	Pope
Bloomer	Hartwell	Potter
Boutell	Hatch	Raymond
Bowman	Hayward	Rich of Maidstone
Brown of Eden	Hazeltine	Richardson
Brownell	Hewett of Pomfret	Robbins
Buck	Hewes	Safford
Bucklin	Hicks	Samson
Bushnell	Hill	Seofield
Cady	Hinman	Scott
Carpenter of Moretown	Holden	Sears of Morristown
Church	Hopkinson	Sears of Richford
Coe	Houghton	Seaver
Culver	Hovey	Smith of Monkton
Darling	Hulett	Snyder
Davis	Hutchinson	Stevens of Essex
Dawson	Kinsley	Town of Mansfield
Dee	Lance	Town of Somerset
Dillingham	May	Trull
Eaton of Granville	McMillan	Tyler
Edgerton	Miner	Vilas
Elliot	Moore of Fairlee	Vincent
Everts	Morrill	Walker
Farrington of Walden	Needham	Warner
Field of Chester	Nelson of Ryegate	Webster
Field of Wilmington	Nelson of Wheelock	Winchester
Fisk	Paige	Winslow
Flagg	Palmer	Wood of Springfield
French of Bloomfield	Parker of Bradford	Woodbury of Baltimore
Gibson	Parker of Underhill	Woodbury of Bethel
Gillett	Partridge	104.
Goodrich of Hardwick	Peabody	
Hapgood	Pineo	

Those who voted in the negative are Messrs.

Adams of Brookline	Chittenden	Field of Benson
Allen of Irasburgh	Clark	Fletcher
Ashley	Coggswell	Foot
Ayres	Colby	Fullam
Baker	Cole	Harmon
Ballard	Colton	Harwood
Bachelor	Cory	Hastings
Blodgett	Crowley	Hewett of Charlotte
Bradley	Cummings	Hopkins
Brewster	Dewey	Howe of Vernon
Briggs	Doud	Huntoon
Brigham	Drake	Jackman
Brown of Goshen	Duncan	Keith
Brown of Worcester	Eaton of Stockbridge	Kellogg
Bullock	Ellsworth	Kidder
Burgess	Fairbanks	Kittredge
Byington	Farman	Leonard
Capron	Farrington of Brandon	Lockwood

Mason	Rich of Shoreham	Tilden
Martin	Richmond	Townsley
Moore of Newport	Rockwell	Tracy
Moulton	Seymour	Westover
Paul	Smith of Clarendon	Wheelock
Pierce	Smith of Sheffield	Wiley of Landgrove
Rice	Smith of St. Albans	Wiley of Weston—75.

So it was determined in the affirmative, and the amendment was adopted.

And the resolution as amended was read and passed.

Mr. Bebee, the member from Arlington, had leave of absence for the remainder of the session, from and after to-morrow morning.

The House adjourned.

SATURDAY, Oct. 23, 1837.

House met pursuant to adjournment.

Prayer by the Reverend Mr. Kellogg.

Mr. Moulton, on leave, introduced a bill entitled

"An act in amendment of an act incorporating the village of Woodstock,"

Which was read once and referred to the general committee.

Mr. Kittridge, on leave, introduced a bill entitled

"An act for the relief of William Bushee,"

Which was read twice and ordered to be engrossed and read the third time.

Mr. Elliot, on leave, introduced a bill entitled

"An act to abolish special pleading in civil actions in certain cases,"

Which was read twice and referred to the judiciary committee.

The auditor of accounts against the state, who was authorized by resolution to audit the account of the superintendent of the State House, made report, (see appendix,) which was read.

A message from the Senate, by Mr. Williams, their secretary:

Mr. SPEAKER: The Senate concur with the House of Representatives in passing the following bills:

"An act relating to the judiciary."

"An act altering the terms of the county courts in Lamoille and Orleans counties."

"An act compensating the superintendent of the Vermont state prison."

"An act laying a tax on Duxbury."

"An act laying a tax on Guildhall."

"An act for the relief of Japhet Gray," &c.

"An act laying a tax on Newport," and

"And an act laying a tax on Braintree."

And also in the following bills with proposals of amendments :

"An act relating to the issuing of executions," and

"An act altering terms of county courts in the county of Grand Isle."

And the Senate do not concur with the House in passing a bill entitled

"An act relating to the duties of the judges of the Supreme court."

The Senate have also passed a bill entitled

"An act relating to inn-keepers and retailers."

Petitions of ladies of Clarendon, of freemen of Clarendon, and of inhabitants of Frenklin,

Were severally referred to the committee on the Rutland memorial.

The select committee, on the petition of Chauncey Adams and others, and the resolution directing the state's attorney of Rutland county to issue process against the Green Mountain Turnpike company, requiring said company to show cause why their charter should not be vacated,

Reported that the petitioners have leave to withdraw their petition, and that the resolution ought not to pass.

The report was read and leave to withdraw was granted, and the resolution was read and passed.

The engrossed bill entitled

"An act in addition to an act entitled an act incorporating the Centre Turnpike Company,"

On motion of Mr. Robbins, was committed to a member for amendment, and the Speaker appointed Mr. Robbins as the committee.

The engrossed bill entitled

"An act act authorizing the surveyor general to survey and settle the line between the town of Wilmington and the towns of Readsboro' and Searsburgh,"

Was ordered to be laid on the table.

Engrossed bills of the following titles were severally read the third time and passed :

"An act to repeal an act entitled an act to encourage the destruction of foxes," and

"An act altering the name of John Wakefield."

The engrossed bill entitled

"An act relative to a portrait of Washington,"

Was read the third time, and on the question Shall it pass? the yeas and nays were demanded and were as follows :

Those who voted in the affirmative are Messrs.

Allen of Irasburgh	Boutell	Carpenter of Ferrisburg
Ames	Bowman	Church
Appleton	Brewster	Cogswell
Ashley	Briggs	Colby
Atwood	Brigham	Cory
Ayres	Brown of Goshen	Cummings
Ballard	Brown of Worcester	Darling
Barr	Brownell	Dewey
Bachelor	Byington	Dillingham
Becket	Capron	Duncan

Elliot	Hinman	Paul
Fairbanks	Hopkins	Peabody
Farrington of Brandon	Hovey	Peck
Field of Benson	Jackman	Pond
Field of Jerico	Keith	Raymond
Fisk	Ketchum	Rice
Fletcher	Kidder	Rich of Shoreham
Foot	Kittridge	Richmond
Foster	Lapce	Smith of Fairfield
French of Williston	Leonard	Smith of Monkton
Fuller	Lockwood	Smith of Sheffield
Gibson	Manning	Stevens of Essex
Goodrich of Alburgh	Mason	Tilden
Harmon	Martin	Webster
Harvey	Miner	Westover
Hastings	Moulton	Wheeler
Hatch	Needham	Wiley of Landgrove
Hazletine	Nelson of Ryegate.	Wiley of Weston
Hewett of Pomfret	Partridge	Wood of Westford—87.

Those who voted in the negative are Messrs.

Adams of Grand Isle	Emery	Parker of Underhill
Adams of West Haven	Farman	Pennock
Atkins	Farrington of Walden	Pierce
Averill	Field of Chester	Pinco
Bailey	Field of Wilmington	Pope
Baldwin	Flagg	Potter
Barber	French of Bloomfield	Rich of Maidstone
Bingham	Gillet	Richardson
Blodgett	Goodrich of Hardwick	Robbins
Bloomer	Hapgood	Rockwell
Brown of Eden	Hardy	Safford
Buck	Hartwell	Scotfield
Bucklin	Harwood	Scott
Bullock	Hayward	Sears of Morristown
Butler	Hewes	Seaver
Cady	Hicks	Sherman
Cardell	Holden	Smith of Clarendon
Carpenter of Moretown	Hopkinson	Snyder
Clark	Houghton	Stevens of Newbury
Coe	Howe of Lunenburg	Town of Mansfield
Colton	Howe of Vernon	Town of Somerset
Corbin	Hulett	Town of Woodbury
Corliss	Huntoon	Townslley
Crowley	Hutchinson	Trull
Culver	Kellogg	Tyler
Currier	Kinsley	Vilas
Davis	May	Vincent
Dawson	Moore of Newport	Walker
Dee	Morrill	Warner
Eaton of Granville	Nelson of Wheelock	Wheelock
Eaton of Stockbridge,	Palmer	Wilson
Edgerton	Parker of Bradford	Winchester



Winslow                      Woodbury of Bethel    Worden—100.  
 Woobury of Baltimore

So it was determined in the negative.

The bill from the Senate entitled

"An act relating to inn-keepers and retailers,"

Was read once and referred to the committee on the Rutland memorial.

The proposed amendments of the Senate to the following bills, were concurred in by the House :

"An act altering the terms of the county court in the county of Grand Isle," and

"An act relating to issuing executions."

The committee of claims made the following reports :

On the petition of Henry H. Robinson, a bill entitled

"An act directing the Treasurer to pay Henry H. Robinson the sum therein mentioned,"

Which was read twice and ordered to be engrossed and read the third time.

On the bill entitled

"An act directing the treasurer to pay Warren Bliss the sum therein mentioned,"

That the same ought not to pass, and the bill was dismissed.

On the bill entitled

"An act to pay John Roberts a certain sum,"

That the same ought to pass, and the bill was read twice and ordered to be engrossed and read the third time.

On the bill entitled

"An act for the relief of Joseph Beeman,"

That the same ought to pass, and the bill was read the second time and ordered to be engrossed and read the third time.

The committee of ways and means, on the bill entitled

"An act for the relief of Benjamin Allen and others,"

Reported that the same ought not to pass, and the bill was dismissed.

The same committee, on the report of the commissioners, appointed to examine the University of Vermont,

Reported a bill entitled

"An act concerning the school fund,"

Which was read once and ordered to be laid on the table,

The same committee, on the resolution relating to the salary of the auditor of accounts against the state,

Reported a bill entitled

"An act directing the treasurer to pay David Pierce the sum therein mentioned,"

Which was read once, and the House refused the second reading.

The general committee, on the bill entitled

"An act repealing an act therein mentioned,"

Reported the same ought to pass, and the bill was read the second time and ordered to be engrossed and read the third time.

The same committee on the bill entitled

"An act regulating the sale of shingles,"

Reported the same ought not to pass, and the bill was dismissed.

The same committee, on the bill from the Senate entitled

"An act to regulate the inspection of provisions intended to be exported from this state,"

Reported the same ought to pass, and the bill was read the second and third times and passed.

The committee on manufactures, on the bill entitled

"An act to incorporate the Jerico beet root sugar manufacturing company,"

Reported the same ought to pass, and the bill was ordered to be laid on the table.

The judiciary committee, on the bill entitled

"An act to abolish special pleading in certain cases,"

Reported the same to the House without expressing any opinion as to the propriety of passing the same, and the bill was ordered to be laid on the table.

On motion of Mr. Brown of Worcester, it was ordered, that when the House do adjourn, it adjourn to Monday morning next.

Mr. Partridge, from the committee on military affairs, asked leave to report part of a bill regulating the militia of this state, the committee not having the whole bill in readiness, and the House refused to grant permission.

Mr. Dillingham introduced the following resolutions:

*Resolved*, the Senate concurring herein, that a resolution which passed both Houses, requesting the Governor to appoint the fourth Thursday of November, as a day of public thanksgiving and praise, be rescinded.

*Resolved*, the Senate concurring herein, that the Governor be requested to appoint the third Thursday of November next, as a day of public thanksgiving and praise throughout this state.

The resolutions were severally read and passed.

Mr. Martin, on leave, introduced a bill entitled

"An act for the preservation of fish in the town of Peacham,"

Which was referred to the general committee.

Mr. Dewey, on leave, introduced a bill entitled

"An act to repeal part of an act therein mentioned,"

Which was referred to the committee on military affairs.

Mr. Moore of Newport introduced the following resolution: !

*Resolved*, That the grand list committee be instructed to enquire into the expediency of passing a law taxing all personal property in the state, owned by non-residents, and report by bill or otherwise.

Which was read and passed.

The House adjourned.

MONDAY, Oct. 30, 1837.

House met pursuant to adjournment.

Prayer by the Reverend Mr. Kelley.

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The committee on banks, on the following bills :

"An act to incorporate the Bradford bank,"

"An act to incorporate the Bennington county bank,"

"An act to incorporate the Castleton bank," and

"An act to incorporate the Washington county bank,"

Reported the same ought to be referred to the next session of the Legislature, and the bills were severally so referred.

The committee on education, on the petition of the town of Westfield,

Reported that the same ought to be referred to the next session of the Legislature, and the petition was so referred.

The same committee, on the resolution relative to altering the 11th section of the school act,

Reported that no action was necessary upon that subject.

A message from the Senate, by Mr. Williams, their secretary :

MR. SPEAKER : the Senate ask the concurrence of the House to the following bills :

"An act relating to notes and contracts," and

"An act in relation to the poor."

The Senate also concur with the House of Representatives in passing the following bills :

"An act directing the treasurer to pay Harvey Ainsworth the sum therein mentioned."

"An act directing the treasurer to pay Harrison Bancroft the sum therein mentioned," and

"An act for the relief of Allen Smith."

And the Senate do not concur with the House in passing the bill entitled

"An act relative to common schools."

The Senate also concur with the House in passing two resolutions relative to the appointment of thanksgiving, and one to appoint a committee to settle with the superintendant of the Vermont state prison.

Mr. Partridge, from the committee on military affairs,

Reported a bill entitled

"An act regulating and governing the militia of this state,"

Which was ordered to be laid on the table and made the special order for to-morrow morning.

The committee of ways and means, on the report of the auditor in the treasury department, made the following

## REPORT :

*To the Honorable House of Representatives now in session :*

The committee of ways and means, to whom the report of the auditor in the treasury department was referred, respectfully report that they have examined the same ; that in their opinion no legislative action in relation to said report is necessary ; still they would remark, that the auditor omits to return with his report (as is required by law) a certificate of his having been sworn according to law, and the committee are of opinion that the auditor has omitted to make and report such a particular settlement of the affairs of the treasury as the law requires.

J. DEWEY, for committee.

The committee on education, on the report of the commissioners appointed in 1835, to examine the University of Vermont, made the following

### REPORT :

*To the House of Representatives now in session :*

The committee on education, to whom the accompanying document was referred, respectfully report, that on examination, they find it to be the annual report of the commissioners, to visit and examine the affairs of the University of Vermont, for the year 1835.

Your committee presume that it is by mistake, or the neglect of some one, that it was not disposed of at the proper time, and they come to the conclusion that no action is required upon it, as the like report for the current year has already come under the consideration of this House. That report has been referred to the committee of ways and means, who have reported a bill cancelling a claim of two thousand dollars, which the state hold against the University. Your committee trust the House will not think them turning aside from their appropriate duties, when they express their opinion that said bill ought to pass this House, and their hope that such will be the fact.

E. BREWSTER, for committee.

The select committee, on the Rutland memorial, relative to the license laws, made the following

### REPORT :

*To the House of Representatives now in session :*

Your select committee, to whom were referred the petitions and memorials of sundry inhabitants of this state, praying for the passage of a law prohibiting the making and vending of ardent spirits, and also for a repeal or revision of the existing license laws, and to whom, also, was referred a resolution of this House, instructing said committee to enquire into the constitutional right of the Legislature of this state to pass a law interdicting the manufacture and sale of ardent spirits, respectfully report, that they have endeavored to give, to the different matters thus referred to their consideration, all that thought and careful investigation which their intrinsic importance obviously demands. The earnest appeals which have come up to this legislative body, from every section of the state, subscribed by many thousands of its inhabitants, and clothed in the firm and decided, but respectful, language of importunity, conclusively indicate, in the opinion of your committee, that the public mind is so generally aroused, and at the same time so fully enlightened, upon the absorbing subjects embraced in said appeals, as reasonably to require at our hands, as the representatives of the people, such legislative enactments to aid the advancement of the temperance reformation within the borders of our state, as shall most effectually accomplish the proposed end, and, at the same time, consist with reason, sound policy and the provisions of the constitution, under which we live.

The question, involved in the resolution submitted to your committee, properly claimed their first consideration ; and after weighing carefully the reasons, upon which a correct solution of this question obviously depends, with their best judgment and discrimination, your committee are unanimously of the opinion, that the Legislature has the right, under the constitution of this state, either to regulate, restrict, or absolutely prohibit, by law, the traffic in ardent spirits, whenever the interests, safe-

ty or welfare of the commonwealth in the opinion of the Legislature, require the enactment of such a law.

In looking for the reasons, which, in their opinion, sustain or oppose this conclusion, your committee have aimed to discriminate between such, as legitimately bear upon the question of constitutional right, and those which merely relate to the policy or expediency of legislative action. The mere naked right of the legislature, in view of the limitations and restrictions contained in the constitution, to enact any proposed law, and the propriety or policy of such enactment, are propositions entirely different in their character, and their truth or soundness is to be determined by arguments and reasons equally diverse.

A law may be clearly and strictly constitutional, and yet be an outrage upon sound policy and common sense. Many honest and well-meaning men are extremely prone to identify these two propositions, and thus confound the reasons by which they are respectively sustained.

A clear perception of, and regard to, this manifest distinction, is indispensable to a discussion of the question now under consideration, and will prevent misapprehension and error in arriving at a safe and satisfactory conclusion.

An examination of our constitution in reference to the powers, duties and restrictions, which it confers and imposes upon the legislative branch of the government, obviously results in the following enquiries, so far as the question under consideration is to be affected thereby, viz: first, does the constitution, either in its letter or spirit, prohibit the passage of the proposed law? And secondly, does it enjoin the legislature to pass such a law under any circumstances?

The bill of rights, as it is commonly called, being incorporated with and made a part of, what is, in strict technical propriety, termed our constitution, contains the following declaration, viz: "That all men are born equally free and independent, and have certain natural, inherent, and inalienable rights, among which, are the enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining happiness and safety." It will not be denied, that if the constitution contains any provision, either express or implied, prohibiting the legislature from enacting the proposed law, such prohibition is to be found in the aforesaid article, and no where else. What, then, is the fair meaning and import of the foregoing clause in our declaration of rights? What are those natural, inherent, and inalienable rights, intended to be defined and recognized by this declaration, as lying beyond the reach of legislative supervision or control?

In a state of nature, when men recognize no law, except their own will and choice, and submit to no restraint but what is imposed by superior physical power, every individual has the undoubted right to redress his own wrongs, to retaliate injuries, to plunder the property of his fellow, and do whatsoever he will or can do, by mere physical force; inasmuch as there is no earthly tribunal, before which this individual right can be called in question. Every man is his own sovereign, guardian, and avenger. But when men combine by mutual consent, and establish a system of government for the common safety, protection and welfare, it is manifest, that the natural rights of the individuals making or assenting to the compact, must be so regulated, limited and controlled, as to promote the welfare and safety of the whole, otherwise nothing is needed or effected by the compact.

Our constitutional form of government is instituted for the common benefit, protection and security, of the people ; and, consequently, those individual rights, and those only, are recognized as inalienable by our declaration of rights, which consist with the purposes for which the government is instituted. The right of acquiring, possessing and protecting property, is a natural and inherent right of every person, and *when* there is no civil compact, men may exercise and enjoy this right in whatever way or manner they choose, to the extent of their physical ability ; and when men voluntarily yield allegiance to a system of government, instituted for the aforesaid purposes, this right is still sacred, unless its exercise tends to defeat those purposes. But when the exercise of the right to acquire, possess, and protect property is indulged in, at the expense of the safety, security and happiness of the other subjects of the government, this right is forfeited, and unless controlled and restrained by the sanctions of law, the government is at an end, inasmuch as it ceases to secure and accomplish the purposes for which it was instituted. And that plan or form of government, which recognizes the natural rights of its subjects, and permits the exercise of those rights, without regard to the consequences which may result to the community ; which, in fact, prohibits any interference with, or control over the mode and manner, in which those rights shall be exercised, is indeed no government.

Such, we apprehend, is not our form of government. Such are not the provisions contained in the declaration of rights, made and adopted by the freemen of Vermont. The right to make or vend ardent spirits, differs in no respect, from the right to make or sell any thing else, and so long as the exercise of this right promotes the interest of the individual, without prejudice to the rights, safety, and welfare of the community, any law, prohibiting, restricting, or in anywise controlling, the exercise of such right, would be tyrannical, and opposed to the spirit of our constitution. But, when the manufacture, sale, or use, of ardent spirits becomes the source or the cause of immorality, crime, poverty, wretchedness, guilt and misery, throughout the great body of the community, the legitimate designs and purposes of the government are defeated ; and to contend that the constitution prohibits, in any possible sense, the passage of a law, restraining wholly and totally those evils and their causes, to prevent and do away which is the object of every good government, is manifestly placing upon the constitution such a construction as subverts the sacred instrument itself. The second, and remaining branch of the enquiry, which your committee have had under consideration, although not coming strictly within the resolution submitted to them, still, in their opinion, merits the sober and deliberate consideration of this body, viz : Does, or does not, the constitution enjoin it upon the legislature to pass such a law under any circumstances ?

The 18th article of the bill of rights declares as follows :—" That frequent recurrence to fundamental principles, and a firm adherence to justice, moderation, temperance, industry and frugality, are absolutely necessary to preserve the blessings of liberty, and keep a government free. The people ought, therefore, to pay particular attention to these points, in the choice of officers and representatives, and have a right, in a legal way, to exact a due and constant regard to them, from their legislators and magistrates, in making and executing, such laws, as are necessary for the good government of the State."

The 49th section of the constitution provides as follows, viz: "Laws for the encouragement of virtue, and the prevention of vice, and immorality, ought to be constantly kept in force, and duly executed."

Your committee deem it quite unnecessary to submit any commentary upon these plain and unequivocal provisions in the constitution. This respectable body need not to be instructed, in the duties, which they owe to their constituents, or to be reminded that the moral, virtuous, and intelligent freemen of Vermont expect, at their hands, the enactment of such laws, for the encouragement of virtue, morality and temperance, or for the suppression of vice, immorality, and intemperance, as shall consist with the constitution and a sound and liberal policy, and that they expect no more.

While your committee entertain no doubts, as to the constitutional right of this Legislature, to pass a law prohibiting, totally and absolutely, the traffic in ardent spirits, they are not without strong fears, that such a measure would, nevertheless, be impolitic and inexpedient at this time. Apprehending, as we do, that public opinion upon this question has not been elicited, in a form and manner, sufficiently general, to warrant the passage of such a law, we feel reluctant to hazard the evidently increasing prosperity of the temperance reform, by recommending a law, which we are not reasonably sure will be sanctioned and sustained by the public voice.

A revision of the existing license laws, your committee deem to be important, especially, so far forth as they provide for the raising of revenue from the traffic of ardent spirits. No government can be justified in deriving a revenue from legal toleration of whatever is morally wrong. What is morally wrong cannot be legally or politically right. The views of your committee upon this subject, are, however, substantially embraced in the bill, which has been passed, and sent by the Senate to this House, for their concurrence, referred to your committee for consideration, and by them herewith respectfully reported without amendment. And your committee, in conclusion, earnestly recommend the passage of said bill, and that the same may become a law of this state.

WM. C. KITTREDGE, for committee.

The report was read, and five hundred copies were ordered to be printed.

Mr. Dewey, from the committee of ways and means, reported the following bills:

"An act assessing a tax for the support of Government."

"An act making appropriations for the support of government," and

"An act authorizing the treasurer to borrow the sum therein mentioned,"

Which were severally read twice and ordered to be engrossed and read the third time to-morrow morning.

Mr. Adams of Grand Isle moved to reconsider the vote refusing to pass the bill entitled

"An act relative to a portrait of Washington,"

And the motion was ordered to be laid on the table.

The motion to reconsider the vote dismissing the bill entitled

"An act to locate the county buildings in the county of Franklin,"

Was called up, and the motion to reconsider was withdrawn by the mover.

The proposed amendments of the Senate to the bill entitled  
"An act authorizing the appointment of deputy clerks," &c.,  
Were concurred in by the House.

The bill from the Senate entitled  
"An act relating to notes and contracts,"  
Was read twice and referred to the judiciary committee.

The bill from the Senate entitled  
"An act in relation to the poor,"  
Was read once and referred to the general committee.

Engrossed bills of the following titles were severally read the third time and passed :

"An act for the relief of Joseph Beeman."

"An act repealing an act therein mentioned."

"An act directing the treasurer to pay Henry H. Robinson the sum therein mentioned," and

"An act in addition to an act incorporating the Centre Turnpike Company," &c.

The petition of Moses Peck, Jr.,  
Was referred to the committee of claims.

The select committee, eraised on the Rutland memorial, on the bill from the Senate entitled

"An act relating to inn-keepers and retailers,"

Reported the same ought to pass.

The bill was read once and ordered to be laid on the table and five hundred copies printed.

Mr. Smith of St. Albans, on leave, introduced a bill entitled

"An act to pay Augustine Clarke the sum therein mentioned,"

Which was referred to the committee of claims.

Mr. Hopkins introduced the following preamble and resolution :

Whereas the existing laws of the United States prohibit the granting of pensions, to soldiers of the Revolutionary army, unless there shall be made proof of service of *six months*, at the least—and whereas it is believed that many meritorious men are, by such laws, deprived of that pitance which is justly their due—therefore

*Resolved*, the Senate concurring herein, that our Senators in Congress be instructed, and our Representatives requested, to use their exertions for procuring the passage of a law, providing for that class of old soldiers now excluded by the laws in force.

Which was read and passed.

Mr. Townsley, on leave, introduced a bill entitled

"An act in addition to an act to provide for the support of common schools,"

Which was referred to the committee on education.

The committee on banks, on the bill entitled

"An act relating to banks,"

Reported the same ought not to pass, and the bill, on motion of Mr. Hatch, was referred to the next session of the Legislature.

Mr. Dillingham introduced the following resolution :

*Resolved*, the Senate concurring herein, that the bank committee and bank commissioners, whose duty it is to make report of their doings to



the next session of the Legislature, be, and they are hereby directed, to make out said reports and communicate the same on the first day of said session.

Which was referred to the committee on banks.

The judiciary committee, on the several petitions relative to the right of trial by jury,

Reported a bill entitled

"An act relating to the right of trial by jury,"

Which was read twice, and ordered to be engrossed and read the third time to-morrow morning.

Mr. Field of Wilmington, called up the bill entitled

"An act relating to assignments."

Mr. Keith moved to refer the bill to the next session of the Legislature, and on the vote being taken, it was determined in the negative, and the bill was again ordered to be laid on the table.

A message from the Senate, by Mr. Williams, their secretary :

Mr. SPEAKER : The Senate ask the concurrence of the House of Representatives to a bill entitled

"An act directing the treasurer to pay Rufus Campbell the sum therein mentioned."

The Senate concur with the House of Representatives in passing a bill entitled

"An act authorizing the assistant justices of Windham county court to purchase a certain tract of land," &c.

The Senate have resolved to postpone indefinitely a bill entitled

"An act in addition to an act defining what shall be deemed and adjudged a legal settlement," &c.

The Senate also concur with the House in passing a bill entitled

"An act in addition to an act to incorporate the Centre Turnpike Company," &c.

Mr. Vilas, from the committee on bills, reported to the House that the following bills had this day been presented to the Governor for his approbation and signature :

"An act compensating the superintendant of the Vermont state prison."

"An act laying a tax on Braintree."

"An act laying a tax on Newport."

"An act to settle the boundary line between the towns of Elmore and Worcester."

"An act for the relief of Japhet Gray and others."

"An act in addition to an act entitled an act incorporating certain persons therein mentioned by the name of the Centre Turnpike Company."

"An act altering the terms of the county court in Lamoille and Orleans counties."

"An act laying a tax on the lands in Duxbury."

"An act relating to the judiciary."

"An act laying a tax on the lands in Guildhall," and

"An act to regulate the inspection of provisions intended to be exported from this state."

Mr. Rich, the member from Shoreham, had leave of absence from morning, for the remainder of the session.

On motion of Mr. Tracy, the vote refusing the second reading of the bill entitled

"An act directing the treasurer to pay David Pierce the sum therein mentioned,"

Was reconsidered, and the bill was ordered to be laid on the table.

The House adjourned.

#### AFTERNOON.

House met pursuant to adjournment.

Mr. Smith, the member from St. Albans, had leave of absence for the remainder of the session, from and after to-morrow morning.

The bill from the Senate entitled

"An act directing the treasurer to pay Rufus Campbell the sum therein mentioned,"

Was read once and referred to a select committee of three.

Engrossed bills of the following titles were severally read the third time and passed :

"An act to pay John Roberts a certain sum."

"An act for the relief of William Bushee," and

"An act to amend and reduce into one, several acts relating to the incorporation of the city of Vergennes."

The select committee on the communications from Missouri, Georgia and Maine,

Reported that the subjects required no legislative action.

The same committee, on the resolutions from Massachusetts, Maryland and Mississippi, made the following

### REPORT:

*To the House of Representatives now in session :*

The committee to whom were referred the communications from the states of Massachusetts, Maryland and Mississippi, relative to the extension of the franking privilege, respectfully report, that the subject matter of said communications is one in which this state, in common with the other states of the Union, has much interest. The management and control of the mails originally belonged to the several states; and inasmuch as this direction and control was surrendered to the General Government on the adoption of the Federal constitution, your committee believe the states have a right to expect that Congress will extend to them the franking privilege, so far as it can be done without materially diminishing the revenue of the post office Department. That Department, it is believed, is now in a condition that well warrants some extension of that privilege.

To give the Governors of the several states the right to frank their communications, could not materially affect the revenue of the Department, while it would be to them a matter of very great convenience. Your committee, therefore, beg leave to report the accompanying resolutions.

L. B. PECK, for committee.

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The resolutions are as follows :

*Resolved*, the Senate concurring herein, that the franking privilege should be extended to the Governors of the several states.

*Resolved*, That his excellency the Governor be requested to transmit a copy of these resolutions, to the governors of the several states, and also to our Senators and Representatives in Congress.

And they were read and passed.

The committee on military affairs, on the bill entitled

“An act to repeal an act therein mentioned,”

Reported the same ought not to pass, and the bill was ordered to be laid on the table.

The committee of ways and means, on the petition of H. S. Camp, Reported a bill entitled

“An act for the relief of Charles Plaistrage,”

Which was read twice, and ordered to be engrossed and read the third time.

The committee on education, on the memorial of the President and fellows of Middlebury college, made the following

## REPORT :

*To the House of Representatives now in session :*

The committee on education to whom was referred the memorial of Middlebury College, praying for aid, respectfully report, that they have had the subject under consideration, and now present the following facts for the gratification and information of the House. Middlebury College was incorporated by the Legislature of this state about thirty-seven years since. The principles on which it was established, and the character given to it on its first organization, evinced the enlightened views and practical wisdom of those to whom it was indebted for its existence—and its advancement to its present respectable rank among the literary institutions of New England, has been steady and uniform, almost without interruption. During its brief existence, it has sent forth from its halls about 700 alumni, generally with minds well disciplined, and characters well formed, to enlighten and bless their fellow men.

Of the number thus educated and sent forth in this short period, many of them are occupying the most important posts in our seminaries of learning, in the sacred desk, at the bar, in our halls of legislation, and in our courts of justice—not only in this, but in all the states in the Union. Within a few years past, an effort has been made to raise the sum of forty or fifty thousand dollars, by the voluntary subscription of individuals, for the purpose of establishing an additional professorship, and of erecting two additional edifices, which were deemed essential to the convenience and the prosperity of the institution. A subscription of thirty thousand dollars has been obtained from enlightened and benevolent individuals, in this and the neighboring states—the new professorship has been established, and one of the buildings referred to, erected—and for the purpose of completing the plan proposed, by the erection of another building, the institution now asks of this Legislature, not a donation, but the loan of a moderate sum of money for the term of five years, without interest. Your committee are unable to learn that this respectable institution has ever received the smallest aid from

the funds of the state, in any form whatever—notwithstanding its many embarrassments, and the multiplied blessings it has shed upon all parts of the state—upon our whole country—and upon the world at large. They feel constrained to believe that a debt of gratitude is due from the people of this state, to the founders and patrons, and persevering supporters of this College, which should be redeemed with something more substantial than good wishes. They therefore recommend the passage of the bill herewith presented.

All which is respectfully submitted,

E. BREWSTER, for committee.

The bill reported by the committee is of the following title:

“An act relative to Middlebury College,”

Which was read once and ordered to be laid on the table.

A message from the Senate, by Mr. Williams, their secretary:

Mr. SPEAKER: the Senate concur with the House in passing the following bills:

“An act annexing a part of the town of Lemington to the town of Canaan,” and

“An act laying a tax on Granville in Addison county.”

The Senate have also passed a bill entitled

“An act for regulating the treatment of minors in manufacturing establishments.”

The last mentioned bill was read twice and referred to the committee on Education.

The judiciary committee, on the bill from the Senate entitled

“An act relating to the levy of executions,”

Reported the same ought to pass, and the bill was read the third time and passed.

The select committee, on the bill from the Senate, entitled

“An act to tax foreign bank stock, steam boat stock and vessels,”

Reported the same ought to be amended, and being amended as proposed, ought to pass.

The amendments proposed by the committee are as follows:

By adding to the first section the following:

“Provided, that whenever any persons, so owning stock as aforesaid, shall furnish to the listers assessing such stock, satisfactory proof that such stock has been duly assessed or stands charged with taxes in any county, town or place out of this state, the same shall not be set in the list to the person or persons owning the same, in the town or place where such person or persons reside in this state.”

And the House refused to adopt the proposed amendment.

The committee proposed to amend the third section by adding after the word “vessels” in the third line the following words:

“All toll bridge and turnpike stock, all stock of manufacturing companies, and stages, and post coaches.”

And the amendment was adopted by the House.

They proposed to further amend the fourth section, by inserting after the words “steam boat” the following words: “toll bridge, turnpike and manufacturing,” and the amendment was adopted.

Mr. Adams of Grand Isle proposed to amend the bill by adding after the word “vessels” in the third section, the following words: “except

the stock of steam boats used as ferry boats on Lake Champlain," and the amendment was adopted.

Mr. Smith of St. Albans proposed to amend the bill by striking out the words "steam boat stock," and the proposed amendment was rejected.

Mr. May moved to reconsider the vote rejecting the first proposed amendment by the committee.

And on the question Shall said vote be reconsidered? the yeas and nays were demanded and were as follows:

Those who voted in the affirmative are Messrs.

Adams of Grand Isle	Dewey	May
Adams of Westhaven	Dillingham	Needham
Allen of Irasburgh	Fairbanks	Parker of Bradford
Allen of Westminster	Farrington of Brandon	Pope
Ayres	Field of Wilmington	Richmond
Bailey	Fisk	Rockwell
Baker	Foot	Seymour
Baldwin	Foster	Stevens of Newbury
Bachelor	Goodrich of Alburgh	Tilden
Blodgett	Hayward	Townsley
Bradley	Hewett of Pomfret	Tracy
Capron	Hicks	Westover
Chittenden	Hopkins	Wheelock
Cogswell	Kellogg	Wiley of Landgrove
Colby	Kidder	Winchester
Cole	Kinsley	Wood of Springfield
Corbin	Kittredge	52.
Crowley	Martin	

Those who voted in the negative are Messrs.

Ames	Cummings	Gibson
Atkins	Currier	Goodrich of Hardwick
Atwood	Davis	Hapgood
Averill	Dawson	Hardy
Bacon	Drake	Harmon
Ballard	Duncan	Hartwell
Barr	Eaton of Stockbridge	Harvey
Becket	Edgerton	Harwood
Belding	Elliot	Hastings
Bloomer	Ellsworth	Hatch
Bond	Emery	Hazletine
Boutell	Everts	Hewett of Charlotte
Bowman	Farman	Hewes
Brigham	Field of Benson	Hinman
Brown of Eden	Field of Chester	Holden
Brownell	Field of Jerico	Howe of Lunenburg
Bucklin	Flagg	Huntoon
Bushnell	Fletcher	Jackman
Byington	Flint	Keith
Carpenter of Moretown	French of Williston	Ketchum
Coe	Fullam	Lawrence
Colton	Fuller	Lockwood

McMillan	Raymond	Stevens of Essex
Miner	Rice	Town of Mansfield
Moore of Fairlee	Rich of Maidstone	Town of Somerset
Moore of Newport	Robbins	Trull
Nelson of Ryegate	Robinson	Tyler
Nelson of Wheelock	Safford	Vilas
Paige	Samson	Vincent
Palmer	Scott	Walker
Parker of Underhill	Sears of Morristown	Warner
Partridge	Seaver	Wheeler
Peabody	Sherman	Wilson
Peck	Sleeper	Wood of Westford
Pennock	Smith of Clarendon	Woodbury of Baltimore
Pierce	Smith of Monkton	Woodbury of Bethel
Pineo	Smith of Sheffield	112.
Potter	Smith of St. Albans	

So it was determined in the negative.

And the bill was read the second and third time and passed.

A message from the Senate, by Mr. Williams, their secretary :

Mr. SPEAKER : the Senate concur with the House in passing the following bills :

“ An act directing the treasurer to pay Samuel B. Booth the sum therein mentioned,” and

“ An act directing the treasurer to pay J. Loomis the sum therein mentioned.”

The Senate have passed a bill entitled

“ An act declaring certain machinery to be fixtures.”

They have also passed a resolution directing the treasurer to audit the account of David Pierce, for services, to which bill and resolution they ask the concurrence of the House.

The following bills were made the special order for to-morrow morning :

“ An act relating to inn-keepers and retailers,” and

“ An act relating to the Vermont Asylum for the Insane.”

The bill entitled

“ An act relating to assignments,”

Was called up, and Mr. Field offered an amendment, and the bill was again ordered to be laid on the table.

Mr. Seymour, the member from Vergennes, had leave of absence from and after to-morrow morning.

Mr. Rich of Maidstone, offered the following resolution :

*Resolved*, That the committee to make up the debentures of this House, are hereby directed to adopt the mileage of members as taken by the clerk of this House, the present session, unless otherwise specially directed by this House.

Which was read and passed.

The resolution from the Senate directing the treasurer to audit the account of David Pierce, was referred to the committee of claims.

The House adjourned.

TUESDAY, Oct. 31, 1837.

House met pursuant to adjournment.

Prayer by the Reverend Mr. Kellogg.

The Speaker announced the appointment of the following committee on the bill entitled

"An act directing the treasurer to pay Rufus Campbell the sum therein mentioned."

Messrs. Peck, Dillingham and Vilas.

The committee on the petition of Henry Williams and others,

Reported that the petition ought to be referred to the next session of the Legislature, and the petition was so referred.

The committee on the petition of inhabitants of Marshfield,

Reported a bill entitled

"An act annexing a part of the town of Marshfield to Plainfield,"

And the bill was referred to the next session of the Legislature.

The committee on the resolution relative to taxing the personal property of non-residents,

Reported that no legislation was necessary upon the subject.

The committee of elections, on the memorial of inhabitants of Braintree against the sitting member from said town, made the following

## REPORT:

*To the honorable the House of Representatives :*

Your committee of elections to whom was referred the remonstrance of sundry inhabitants of the town of Braintree, against the election of Elijah Flint, the sitting member from said town, having had the same under consideration, respectfully report, that in their opinion it is the privilege of every freeman to ballot for a representative, when the balloting has once been regularly commenced, until an election is made, unless the same shall be suspended by unanimous consent ; and that as they have no doubt that a majority of all the votes tendered after the supposed dissolution of the meeting, mentioned in said memorial, were for Elijah Flint, they therefore recommend the adoption of the following resolution.

IRA H. ALLEN, for committee.

*Resolved,* That Elijah Flint, the returned member from the town of Braintree, is entitled to a seat in this house.

Your committee beg leave further to present the following statement of facts :

It appeared to your committee that the freemen's meeting in Braintree, on the first Tuesday of September last, was legally warned and holden ; that the freemen proceeded to ballot for a representative, and continued to ballot eight several times, until near twelve o'clock, without making an election. After the eighth ballot, the officer again called for votes, when a motion was made to dissolve the meeting, which was immediately opposed ; a division of the house was called for by the officer to try the sense of the meeting upon the motion to dissolve ; those in favor of the motion were directed to take the north, and those op-

posed the south side of the house ; a majority appearing to the officer without a count, to be on the north side of the house, he declared the meeting dissolved ; this declaration was immediately opposed. It appeared also that several who were in favor of Mr. Flint, and opposed to dissolving the meeting, were on the north side of the house and remained there ; some for the reason assigned that they thought the meeting could not be dissolved, others because the rush from the south to the north side of the house was so great that they could not get to the south side before the vote was declared ; and others because they did not understand the question. Nevertheless your committee were satisfied that a majority were in favor of dissolving the meeting. After this division the officer made no further call for votes. Immediately after this, several of the freemen insisted upon and claimed their right to vote. One vote was handed to the officer and laid upon the table ; some three or four others were laid upon the table, and all were soon brushed off, the officer uniformly declaring after this that he should receive no more votes. Some seven or eight individuals appeared before your committee and testified that soon after this division of the house, they presented votes for Elijah Flint, one that he presented a vote for S. Mann, and one that he presented a vote, but that it was not for Mr. Flint. The officer himself testifies, that from fifteen to eighteen votes were offered him for Elijah Flint, and that he does not know that any were offered him for any other person. He does not recollect saying that he should not receive any more votes, but thinks he might have said so, as he supposed there would be no more voting.

It appeared that soon after this division of the house aforesaid, the ballot box was removed from the table—that the town clerk and most of the freemen left the house, some observing to the officer as they were going out, that if more votes were to be received they wanted the privilege of voting, and that his answer was that no more votes would be received, and that none laid on the table or otherwise offered after the division of the house aforesaid, were actually counted, and that no record was left of the names of persons voting or offering to vote.

And the resolution reported by the committee, on motion of Mr. Tracy, was recommitted to the committee of elections, with instructions to report two resolutions, one as to the constitutional right of a majority of the freemen to dissolve a meeting before an election is made, against the wishes of the minority ; and the other as to the right of the sitting member to retain his seat.

A message from the Senate, by Mr. Williams, their secretary :

Mr. SPEAKER : the Senate concur with the House in passing resolutions relative to extending the franking privilege to the governors of the several states, also in a resolution relative to the soldiers of the revolution.

The Senate have also passed a bill entitled

“ An act regulating and governing the militia of this state,”

To which they ask the concurrence of the House of Representatives.

Engrossed bills of the following titles were severally read the third time and passed :

“ An act assessing a tax for the support of government.”

“ An act authorizing the treasurer to borrow the sum therein mentioned.”



"An act making appropriations for the support of government."

"An act relating to the right of trial by jury," and

"An act for the relief of Charles Plaistrage."

The judiciary committee were discharged from the further consideration of the bill entitled

"An act relating to notes and contracts,"

And the bill was read the third time and passed.

The committee on education, on the bill entitled

"An act in addition to an act to provide for the support of common schools,"

Reported the same ought not to pass, and the bill was dismissed.

The same committee, on the bill from the Senate entitled

"An act regulating the treatment of minors employed in manufacturing establishments,"

Reported the same ought to be amended and pass.

The bill was amended as proposed by the committee, and read the third time and passed.

The general committee, on the resolutions relative to the establishment of meridian lines, and relative to preventing neat cattle and horses from running at large,

Reported that no legislation was necessary upon either of said subjects.

A message from the Senate, by Mr. Williams, their secretary :

Mr. SPEAKER : the Senate have passed a resolution relative to the deaf and dumb, and ask the concurrence of the House.

The Senate concur with the House in passing a bill entitled

"An act directing the treasurer to pay Charles Davis the sum therein mentioned ;"

And the Senate do not concur with the House in passing a bill entitled

"An act to repeal an act entitled an act to encourage the destruction of foxes within this state."

The above resolution from the Senate is as follows :

*Resolved*, the House of Representatives concurring herein, that the commissioners appointed under the act for the benefit of the deaf and dumb, be directed, in their discretion, to extend the time of the beneficiaries of this state at the American Asylum, to the term of five years.

Which was read and the House resolved to concur.

The bill from the Senate entitled

"An act regulating and governing the militia of this state,"

Was ordered to be laid on the table.

The committee of claims, on the bill entitled

"An act directing the treasurer to pay Abner Harris the sum therein mentioned,"

Reported the same ought to pass, and the bill was read twice and ordered to be engrossed and read the third time.

The same committee, on the bill entitled

"An act directing the treasurer to pay Timothy Foster the sum therein mentioned,"

Reported the same ought not to pass, and the bill was dismissed.

The same committee, on the bill entitled

"An act to pay Augustine Clarke the sum therein mentioned,"

Reported a new bill of the same title, which was read twice, and ordered to be engrossed and read the third time.

The same committee, on the resolution directing the treasurer to audit the account of David Pierce, for services,

Reported the same ought to pass.

The resolution is as follows :

*Resolved*, the House of Representatives concurring herein, that the treasurer be, and he hereby is, authorized and directed to audit and allow the account of David Pierce, for services in making sale of the labor of the convicts in the state prison in March last, in pursuance of an act of the General Assembly, passed November 17, 1836.

And the resolution was read and passed.

The bill from the Senate entitled

"An act declaring certain machinery to be fixtures,"

Was read twice and referred to the judiciary committee.

The general committee, on the remonstrance of inhabitants of West-field,

Reported that the same ought to be dismissed.

And the remonstrance was dismissed.

The same committee, on the bill from the Senate entitled

"An act relating to the poor,"

Reported the same ought not to pass.

And on the question Shall the bill be read the second time? the yeas and nays were demanded and were as follows :

Those who voted in the affirmative are Messrs.

Adams of Brookline	Brewster	Cory
Adams of Grand Isle	Briggs	Cummings
Adams of Westhaven	Brigham	Culver
Allen of Irasburgh	Brown of Goshen	Currier
Allen of Westminster	Brownell	Darling
Ames	Buck	Davis
Appleton	Bucklin	Dawson
Atkins	Bullock	Dee
Atwood	Bushnell	Dewey
Averill	Byington	Dillingham
Ayres	Cady	Drake
Bacon	Cardell	Duncan
Bailey	Carpenter of Ferrisburg	Eaton of Stockbridge
Baker	Carpenter of Moretown	Edgerton
Ballard	Chittenden	Elliot
Barber	Church	Everts
Barr	Coe	Fairbanks
Bingham	Cogswell	Farrington of Walden
Blodgett	Celby	Field of Benson
Bond	Cole	Field of Jerico
Bouteli	Colton	Flint
Bowman	Corbin	Foot
Bradley	Corliss	Foster

Fullam	Leonard	Sears of Morristown
Gibson	Lockwood	Seaver
Goodrich of Alburgh	Martin	Sherman
Goodrich of Hardwick	May	Sleeper
Haggood	McMillan	Smith of Sheffield
Hardy	Moore of Newport	Smith of St. Albans
Hartwell	Moulton	Snyder
Harwood	Nedham	Stevens of Essex
Hastings	Nelson of Ryegate	Stevens of Newbury
Hatch	Nelson of Wheelock	Tilden
Hayward	Paige	Town of Mansfield
Hewett of Charlotte	Parker of Bradford	Town of Somerset
Hewett of Pomfret	Parker of Underhill	Town of Woodbury
Hewcs	Partridge	Townesley
Hicks	Paul	Trull
Hill	Peabody	Vilas
Hinman	Peck	Vincent
Holden	Pennock	Walker
Hopkinson	Pineo	Warner
Hovey	Potter	Webster
Howe of Vernon	Rice	Westover
Hulett	Rich of Maidstone	Wiley of Weston
Huntoon	Richardson	Wilson
Hutchinson	Richmond	Winchester
Keith	Robbins	Wood of Westford
Ketchum	Robinson	Woodbury of Baltimore
Kidder	Rockwell	Worden--152.
Kittredge	Safford	
Lance	Scofield	

Those who voted in the negative are Messrs.

Ashley	Field of Wilmington	Pierce
Baldwin	Gillet	Pond
Bachelor	Hazletine	Pope
Becket	Hopkins	Raymond
Brown of Worcester	Houghton	Smith of Monkton
Burgess	Howe of Lunenburg	Tracy
Capron	Jackman	Wiley of Landgrove
Crowley	Kellogg	Woodbury of Bethel
Doud	Miner	
Ellsworth	Palmer	28.

So it was determined in the affirmative.

And the bill was read the second and third times and passed.

The same committee, on the petition of Ziba Pope and others,  
Reported a bill entitled

"An act authorizing the proprietors of Ripton to divide their common or undivided land."

Which was read twice, and ordered to be engrossed and read the third time.

The same committee, on the resolution relating to highways,

Reported that any legislation upon the subject is inexpedient.

The same committee, on the bill entitled

"An act in addition to an act incorporating the village of Woodstock,"

Reported the same ought not to pass, and the House refused the second reading of the bill.

The committee of claims, on the account of the town of Rupert,

Reported a bill entitled

"An act directing the treasurer to pay James Sheldon the sum therein mentioned,"

Which was read twice, and ordered to be engrossed and read the third time.

The same committee, on the petition of Moses Peck, Jr.,

Reported that the petition ought to be referred to the next session of the Legislature, and it was ordered to be so referred.

The committee on banks, on the bill from the Senate entitled

"An act relative to the Rail Road bank,"

Reported the same ought to pass, and the bill was read the second time and ordered to be laid on the table.

The same committee, on the bill entitled

"An act to incorporate the Freeholders bank, at Felchville,"

Reported the same ought not to pass, and the same was under consideration when

The House adjourned.

#### AFTERNOON.

House met pursuant to adjournment.

Mr. Vilas, from the committee on bills, reported to the House that the following bills had this day been presented to the Governor for his approbation and signature :

"An act directing the treasurer to pay Charles Davis the sum therein mentioned."

"An act laying a tax on the lands in Granville, late Kingston, in the county of Addison."

"An act directing the treasurer to pay Samuel B. Booth the sum therein mentioned."

"An act directing the treasurer to pay Jeduthun Loomis and others the sum therein mentioned."

"An act authorizing the appointment of deputy clerks of the county courts."

"An act for the relief of Allen Smith."

"An act directing the treasurer to pay Harrison Bancroft the sum therein mentioned."

"An act relating to the levy of executions."

"An act annexing a part of the town of Canaan to the town of Lemington."

"An act relating to the issuing of executions."

"An act authorizing and empowering the assistant justices of the county court of Windham county, to purchase for the use of said county, a certain tract of land."

"An act directing the treasurer to pay Harvey Ainsworth the sum therein mentioned," and

"An act relating to notes and contracts."

Mr. Sears, the member from the town of Richford, had leave of absence for the remainder of the session, from and after to-morrow morning.

The House resumed the consideration of the bill entitled

"An act to incorporate the Freeholders bank at Felchville,"

And the bill was dismissed.

The bill entitled

"An act concerning the Vermont Asylum for the Insane,"

Was taken up.

Mr. Dewey offered the following amendment :

"Provided, nevertheless, and it is hereby further enacted, that in consideration of the above sum of \$4,000, said trustees shall support indigent insane persons of this state under the direction of the board of commissioners for the deaf and dumb, to the amount of two patients per year, in addition to the provision made in former acts on this subject."

And the House refused to adopt the amendment.

And the bill was read the second time, and ordered to be engrossed and read the third time.

The bill entitled

"An act in addition to an act authorizing the building of a State House at Montpelier,"

Was taken up, and the House refused the second reading of the bill.

A message from the Senate, by Mr. Williams their secretary :

Mr. SPEAKER : the Senate concur with the House of Representatives in passing the following bills :

"An act for the relief of William Bushee."

"An act assessing a tax for the support of government."

"An act authorizing the treasurer to borrow the sum therein mentioned."

"An act directing the treasurer to pay Henry H. Robinson the sum therein mentioned," and

"An act for the relief of Charles Plaistrage."

The Senate also concur with the House in passing the following bills with proposals of amendment :

"An act for the relief of Joseph Beeman," and

"An act to reduce into one act several acts relating to the corporation of the city of Vergennes."

The Senate have passed the following bills, to which they ask the concurrence of the House of Representatives :

"An act concerning the revision of the statutes," and

"An act concerning the asylum for the insane."

The Senate have also passed a resolution relating to the library, to which they ask the concurrence of the House of Representatives.

The bill entitled

"An act relative to a portrait of Washington,"

Was taken up—the question being on the reconsideration of the vote refusing the third reading.

And on the question Shall said vote be reconsidered? the yeas and nays were demanded, and were as follows :

Those who voted in the affirmative are Messrs.

Allen of Irasburgh	Duncan	Leonard
Allen of Westminster	Elliot	Lockwood
Ames	Ellsworth	Manning
Ashley	Emery	Mason
Atwood	Everts	Martin
Ayres	Fairbanks	Miner
Bailey	Farrington of Brandon	Moore of Newport
Ballard	Field of Benson	Morrill
Barr	Field of Jerico	Moulton
Bachelor	Fletcher	Needham
Bemis	Foot	Nelson of Ryegate
Bloomer	Foster	Nelson of Wheelock
Boutell	French of Williston	Partridge
Bradley	Fuller	Paul
Brewster	Gibson	Peabody
Briggs	Goodrich of Alburgh	Peck
Brigham	Harmon	Pond
Brown of Goshen	Harvey	Raymond
Brown of Worcester	Hastings	Rice
Brownell	Hatch	Richmond
Bushnell	Hazletine	Robbins
Byington	Hewett of Charlotte	Sears of Morristown
Capron	Hewett of Pomfret	Smith of Monkton
Chittenden	Hinman	Smith of Sheffield
Cogswell	Hopkins	Smith of St Albans
Colby	Hovey	Stevens of Essex
Cole	Jackman	Tilden
Colton	Keith	Webster
Cory	Kellogg	Wheeler
Cummings	Ketchum	Wiley of Landgrove
Darling	Kidder	Wiley of Weston
Dewey	Kittridge	Wood of Springfield
Dillingham	Lance	Wood of Westford
Doud	Lawrence	Worden—102.

Those who voted in the negative are Messrs.

Adams of West Haven	Baker	Bond
Atkins	Belding	Buck
Averill	Bingham	Bucklin
Bacon	Blodgett	Bullock

Burgess	Hardy	Rich of Maidstone
Butler	Hartwell	Richardson
Cardell	Hayward	Rockwell
Clark	Hewes	Safford
Coe	Hicks	Samson
Corbin	Hill	Scotfield
Corliss	Holden	Scott
Crowley	Hopkinson	Seaver
Culver	Houghton	Sherman
Currier	Hewe of Lunenburg	Sleeper
Davis	Hulett	Smith of Clarendon
Dawson	Huntoon	Snyder
Dee	Hutchinson	Town of Mansfield
Eaton of Stockbridge	May	Town of Somerset
Edgerton	McMillan	Town of Woodbury
Farrington of Walden	Moore of Fairlee	Trull
Field of Chester	Paige	Tyler
Field of Wilmington	Palmer	Vincent
Flagg	Parker of Bradford	Walker
Flint	Parker of Underhill	Warner
French of Bloomfield	Pennock	Wilson
Gillet	Pierce	Winchester
Goodrich of Hardwick	Pino	Woodbury of Baltimore
Hapgood	Potter	Woodbury of Bethel

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So it was determined in the affirmative.

And on the question Shall the bill pass? the yeas and nays were demanded, and were as follows:

Those who voted in the affirmative are Messrs.

Allen of Irasburgh	Carpenter of Ferrisburg	Fletcher
Allen of Westminster	Chittenden	Foot
Ashley	Cogswell	Foster
Atwood	Colby	French of Williston
Ayres	Cole	Fullam
Ballard	Colton	Fuller
Barr	Cory	Gibson
Bachelor	Cummings	Goodrich of Alburgh
Bemis	Darling	Harmon
Bloomer	Dewey	Harvey
Boutell	Dillingham	Hastings
Bradley	Doud	Hatch
Brewster	Duncan	Hazeltine
Briggs	Elliot	Hewett of Charlotte
Brigham	Ellsworth	Hewett of Pomfret
Brown of Goshen	Emery	Hinman
Brown of Worcester	Everts	Hopkins
Brownell	Fairbanks	Jackman
Businell	Farrington of Brandon	Keith
Byington	Field of Benson	Kellogg
Capron	Field of Jerico	Ketchum

Kidder	Nelson of Ryegate	Smith of Sheffield
Kittredge	Nelson of Wheelock	Smith of St. Albans
Lance	Partridge	Stevens of Essex
Lawrence	Paul	Tilden
Leonard	Peabody	Townsend
Lockwood	Peck	Webster
Manning	Pond	Wheeler
Mason	Raymond	Wiley of Landgrove
Martin	Rice	Wiley of Weston
Miner	Richmond	Wood of Springfield
Moore of Newport	Robbins	Wood of Westford
Morrill	Robinson	Worden—103.
Moulton	Sears of Morristown	
Needham	Smith of Monkton	

Those who voted in the negative are Messrs.

Adams of West Haven	Field of Wilmington	Pineo
Averill	Flagg	Potter
Bacon	Flint	Rich of Maidstone
Baker	Gillett	Richardson
Beckett	Hapgood	Rockwell
Belden	Hardy	Safford
Bingham	Hartwell	Scofield
Blodgett	Hayward	Scott
Bond	Hewes	Seaver
Buck	Hicks	Sherman
Bucklin	Hill	Sleeper
Bullock	Holden	Smith of Clarendon
Butler	Hopkinson	Snyder
Cardell	Houghton	Town of Mansfield
Clark	Howe of Lunenburg	Town of Somerset
Coe	Howe of Vernon	Town of Woodbury
Corbin	Hulett	Trull
Corliss	Huntoon	Tyler
Crowley	Hutchinson	Vincent
Culver	May	Walker
Currier	Paige	Warner
Davis	Palmer	Wilson
Dawson	Parker of Bradford	Winchester
Eaton of Stockbridge	Parker of Underhill	Woodbury of Baltimore
Farrington of Walden	Pennoek	Woodbury of Bethel
Field of Chester	Pierce	76.

So it was determined in the affirmative.

Engrossed bills of the following titles were severally read the third time and passed:

"An act directing the treasurer to pay James Sheldon the sum therein mentioned."

"An act directing the treasurer to pay Augustine Clarke the sum therein mentioned."

"An act directing the treasurer to pay Abner Harris the sum therein mentioned," and



"An act authorizing the proprietors of Ripton to divide their common and undivided land."

A message from the Senate, by Mr. Weston, their assistant secretary :

Mr. SPEAKER : 'The Senate concur with the House of Representatives in passing the bill entitled

"An act making appropriations for support of government," and also in

"An act altering the name of Betsey Fling," with a proposed amendment.

The Senate have passed a bill entitled

"An act assessing a tax on the county of Franklin,"

And ask the concurrence of the House.

The Senate do not concur with the House in passing a resolution directing the state's attorney for Rutland county to issue a writ of *scire facias* against the Green Mountain Turnpike Company.

Mr. Vilas, from the committee on bills, reported to the House that the following bills had this day been presented to the Governor for his approbation and signature :

"An act for the relief of William Bushee."

"An act authorizing the treasurer to borrow the sum therein mentioned."

"An act for the relief of Charles Plastrage."

"An act directing the treasurer to pay Henry H. Robinson the sum therein mentioned."

"An act in relation to the poor," and

"An act assessing a tax for the support of government."

The bill entitled

"An act concerning the school fund,"

Was taken up.

Mr. Adams of Brookline moved to dismiss the bill.

And on the vote being taken, it was determined in the negative.

Mr. Hatch moved to refer the bill to the next session of the Legislature.

And on the question Shall the bill be so referred? the yeas and nays were demanded, and were as follows :

Those who voted in the affirmative are Messrs.

Adams of Brookline	Bond	Colton
Adams of Grand Isle	Brigham	Corliss
Adams of West Haven	Brown of Goshen	Cummings
Ames	Brown of Worcester	Culver
Appleton	Buck	Currier
Atkins	Bucklin	Darling
Bacon	Cardell	Davis
Bailey	Carpenter of Moretown	Dawson
Baker	Church	Dee
Barber	Clark	Drake
Blodgett	Coe	Duncan
Bloomer	Cogswell	Eatou of Stockbridge

Edgerton	Hutchinson	Rockwell
Ellsworth	Jackman	Safford
Emery	Lance	Samson
Everts	Lawrence	Scotfield
Farman	May	Sears of Morristown
Farrington of Walden	Moore of Fairlee	Seaver
Field of Chester	Moore of Newport	Sleeper
Flagg	Morrill	Smith of Clarendon
Flint	Nelson of Ryegate	Smith of Fairfield
Gibson	Nelson of Wheelock	Smith of Monkton
Hapgood	Paige	Snyder
Hardy	Palmer	Stevens of Essex
Hartwell	Parker of Underhill	Town of Mansfield
Hatch	Partridge	Town of Somerset
Hayward	Peabody	Town of Woodbury
Hazletine	Pierce	Trull
Hewes	Pineo	Vincent
Hill	Pond	Walker
Hinman	Pope	Warner
Hopkinson	Potter	Wiley of Landgrove
Houghton	Raymond	Wiley of Weston
Hovey	Rich of Maidstone	Wilson
Howe of Lunenburg	Richardson	Woodbury of Bethel
Hulett	Richmond	Worden—112.
Huntton	Robbins	

Those who voted in the negative are Messrs.

Allen of Irasburgh	Cole	Keith
Allen of Westminster	Crowley	Kinsley
Ashley	Cummings	Kittridge
Atwood	Dewey	Lockwood
Averill	Dillingham	Manning
Ayres	Doud	McMillan
Barr	Elliot	Miner
Bachelor	Fairbanks	Moulton
Belding	Field of Benson	Parker of Bradford
Bemis	Field of Jerico	Peck
Boutell	Field of Wilmington	Smith of Sheffield
Bowman	Fisk	Smith of St Albans
Bradley	Foot	Tilden
Brewster	French of Williston	Townsley
Briggs	Gillet	Tracy
Bullock	Harmon	Vilas
Burgess	Harwood	Westover
Bushnell	Hastings	Winchester
Byington	Hewett of Charlotte	Wood of Westford
Capron	Hewett of Pomsret	Woobury of Baltimore
Chittenden	Holden	
Colby	Hopkins	

So it was determined in the affirmative.

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On motion of Mr. Sleeper, it was ordered, that when the House do adjourn, it adjourn to meet at half past six o'clock this evening.

The House adjourned.

#### EVENING.

House met pursuant to adjournment.

The engrossed bill entitled  
 "An act concerning the Vermont Asylum for the Insane,"  
 Was read the third time and passed.

The general committee, on the petition of Norman Cleaveland, and on the petition of the inhabitants of Randolph,  
 Reported that the prayer thereof ought not to be granted.

The petition against the establishment of monastic institutions, was referred to the next session of the Legislature.

The general committee, on the bill entitled  
 "An act to prevent the establishment of monastic institutions," &c.,  
 Reported that the same ought to be referred to the next session of the Legislature.

And the bill was so referred.

The same committee on the bill entitled  
 "An act to preserve fish in Peacham,"  
 Reported the same ought not to pass.  
 And the bill was dismissed:

The same committee, on the bill entitled  
 "An act in addition to the several acts providing for the appointment of notaries public,"

Reported the same ought to be amended by striking out the first section, and being so amended ought to pass.

The House refused to thus amend the bill, and the bill was read the second time, the engrossing dispensed with, and the bill was read the third time and passed.

The judiciary committee, on the bill entitled  
 "An act to repeal an act therein mentioned,"

Reported the same ought not to pass, and the bill was dismissed.

The committee on roads and canals, on the several remonstrances against extending the charter of the Passumpsic Turnpike Company, made the following

#### REPORT:

*To the House of Representatives now in session :*

The committee on roads and canals, to whom were referred sundry remonstrances against the extension of the Passumpsic turnpike com-

pany, respectfully report, that they have examined the subject fully, and in their view, the memorialists were evidently under a misapprehension as to the character of measures alluded to in their remonstrance. It did *not* appear that any measures were contemplated, either by the said Passumpsic turnpike company or by any member of the Legislature, for extending the said charter.

#### E. FAIRBANKS, for committee.

The same committee, on the bill entitled

"An act relative to the extension of the Passumpsic turnpike company,"

Reported that said bill ought to be referred to the next session of the legislature.

And the bill was so referred.

The committee on banks, on the bill entitled

"An act relating to banks,"

Reported the same ought not to pass, and the bill was dismissed.

The petition of Oliver Strickland and others,

Was referred to the next session of the legislature.

The following resolutions from the Senate were taken up :

*Resolved*, by the Senate and House of Representatives, that the Governor be requested to procure the laws of the other states of which the library is deficient.

*Resolved*, That the librarian be directed to purchase twenty copies of Walton's Vermont Register, for the use of the General Assembly.

And the House resolved to concur in passing the first resolution, and not to concur in passing the second resolution.

The bill entitled

"An act in relation to assignments,"

Was taken up, the question being on the adoption of Mr. Field's amendment.

Mr. Kittridge offered an amendment, which was accepted by Mr. Field, and the amendment as amended was adopted by the House; and the engrossing was dispensed with, and the bill was read the third time and passed.

The committee on military affairs, on the several petitions for ordnance,

Reported that they wished to be discharged from any further consideration of said petitions.

And said committee were so discharged.

The same committee, on the proceedings of the military convention,

Reported that the same ought to be referred to the executive department.

And said proceedings were so referred.

The same committee, on the several memorials of companies of infantry and militia officers,

Reported that the request of said memorials would be answered by passing the bill reported to this House by the committee, entitled

"An act regulating and governing the militia of this state."

The following bills were severally referred to the next session of the legislature :

"An act relative to Middlebury College."

"An act authorizing the surveyor general to survey and settle the line between Wilmington and Readsboro' and Searsburg," and

"An act to repeal an act entitled an act for the benefit of common schools."

The following bills were severally dismissed :

"An act to incorporate the Jerico beet root sugar manufacturing company."

"An act directing the treasurer to pay David Pierce the sum therein mentioned."

"An act giving further time to Worcester and Elmore to make a road."

"An act relating to the grand list," and

"An act relating to probate courts."

The following bills were severally read the third time and passed :

"An act to repeal part of an act therein mentioned," and

"An act in addition to an act reducing into one the several acts for making and repairing highways."

A message from the Senate, by Mr. Williams, their secretary :

MR. SPEAKER : the Senate concur with the House of Representatives in passing the following bills :

"An act directing the treasurer to pay Abner Harris the sum therein mentioned."

"An act directing the treasurer to pay Augustine Clarke the sum therein mentioned."

"An act relative to a portrait of Washington," and

"An act directing the treasurer to pay John Roberts the sum therein mentioned."

The Senate have passed the following bills :

"An act in relation to highways," and

"An act directing the treasurer to pay the town of Sutton the sum therein mentioned."

The Senate also concur with the House in passing the following bill with a proposed amendment :

"An act concerning the Vermont Asylum for the Insane."

They also concur with the House in the proposed amendments to the bill entitled

"An act for regulating the treatment of minors in manufacturing establishments."

Mr. Vilas, from the committee on bills, reported to the House that the following bills had this day been presented to the Governor for his approbation and signature :

"An act directing the treasurer to pay Augustine Clarke the sum therein mentioned."

"An act relative to a portrait of Washington."

"An act directing the treasurer to pay Abner Harris the sum therein mentioned."

"An act directing the treasurer to pay John Roberts the sum therein mentioned."

"An act regulating the treatment of minors employed in manufacturing establishments," and

"An act altering the terms of the county courts in the county of Grand Isle."

The bill entitled

"An act to abolish imprisonment for debt,"

Was taken up.

Mr. Townsley moved to dismiss the bill.

And on the question Shall the bill be dismissed? the yeas and nays were demanded, and were as follows:

Those who voted in the affirmative are Messrs.

Adams of Brookline	Burgess	Kellogg
Adams of West Haven	Colby	Pierce
Ayres	Corliss	Pope
Bacon	Cummings	Richmond
Ballard	Darling	Townsley
Bond	Farman	Trull
Bradley	Harmon	Wiley of Landgrove
Briggs	Hopkinson	Wiley of Weston—24.

Those who voted in the negative are Messrs.

Adams of Grand Isle	Byington	Farrington of Walden
Allen of Westminster	Capron	Field of Benson
Ames	Cardell	Field of Chester
Appleton	Carpenter of Moretown	Field of Jerico
Ashley	Chittenden	Field of Wilmington
Atkins	Church	Fisk
Atwood	Clark	Flagg
Averill	Coe	Fletcher
Bailey	Coggswell	Foot
Baker	Cole	French of Bloomfield
Baldwin	Colton	Fullam
Barr	Cory	Fuller
Bachelor	Crowley	Gibson
Belden	Culver	Gillett
Bingham	Currier	Goodrich of Alburgh
Blodgett	Davis	Goodrich of Hardwick
Bloomer	Dawson	Hapgood
Boutell	Dee	Hardy
Bowman	Dillingham	Hartwell
Brigham	Doud	Harvey
Brown of Goshen	Drake	Harwood
Brown of Worcester	Duncan	Hastings
Brownell	Eaton of Stockbridge	Hatch
Buck	Elliot	Hayward
Bucklin	Ellsworth	Hazeltine
Bushnell	Emery	Hewett of Pomfret
Butler	Everts	Hewes

Hicks	Moulton	Sleeper
Hill	Needham	Smith of Clarendon
Hinman	Nelson of Ryegate	Smith of Fairfield
Hopkins	Nelson of Wheelock	Smith of Monkton
Hovey	Paige	Snyder
Howe of Lunenburg	Palmer	Stevens of Essex
Howe of Vernon	Parker of Bradford	Stevens of Newbury
Hulett	Parker of Underhill	Town of Mansfield
Huntton	Partridge	Town of Somerset
Hutchinson	Paul	Town of Woodbury
Jackman	Peabody	Tracy
Keith	Peck	Tyler
Ketchum	Pennock	Vilas
Kinsley	Pineo	Vincent
Kittredge	Potter	Walker
Lawrence	Raymond	Warner
Lockwood	Rice	Westover
Manning	Robinson	Wheeler
Mason	Rockwell	Wilson
May	Scofield	Winchester
McMillan	Scott	Wood of Westford
Miner	Sears of Morristown	Woodbury of Baltimore
Moore of Fairlee	Sears of Richford	Woodbury of Bethel
Moore of Newport	Seaver	Worden—159.
Morrill	Sherman	

So it was determined in the negative.

Mr. Kittridge offered the following amendment, to be added to the first section :

“ Provided, that nothing contained in this section shall extend to any contracts except such as are made and entered into after the first of December next.”

And on the question Shall the proposed amendment be adopted? the yeas and nays were demanded, and were as follows :

Those who voted in the affirmative are Messrs.

Adams of Brookline	Brewster	Culver
Adams of Westhaven	Briggs	Darling
Allen of Westminster	Brigham	Dawson
Appleton	Brown of Goshen	Dewey
Atkins	Brownell	Dillingham
Ayres	Burgess	Doud
Bacon	Bushnell	Drake
Bailey	Byington	Eaton of Stockbridge
Ballard	Capron	Ellsworth
Barber	Cardell	Everts
Belding	Chittenden	Fairbanks
Bemis	Colby	Farman
Blodgett	Cole	Farrington of Brandon
Bond	Cory	Farrington of Walden
Boutell	Crowley	Field of Benson
Bradley	Cummings	Fisk

Foot	Leonard	Sears of Richford
Foster	Lockwood	Seaver
French of Bloomfield	Manning	Sleeper
Fuller	Mason	Smith of Clarendon
Gillet	Martin	Smith of Fairfield
Goodrich of Alburgh	McMillan	Smith of Sheffield
Goodrich of Hardwick	Miner	Smith of St. Albans
Hapgood	Nelson of Wheelock	Town of Mansfield
Harmon	Paige	Town of Somerset
Hartwell	Paul	Townsley
Hastings	Peabody	Trull
Hatch	Peck	Tyler
Hewett of Charlotte	Pierce	Vilas
Hewett of Pomfret	Pope	Westover
Hill	Potter	Wiley of Landgrove
Hopkins	Rice	Wiley of Weston
Hopkinson	Rich of Maidstone	Winchester
Hutchinson	Richardson	Wood of Springfield
Jackman	Richmond	Woodbury of Baltimore
Kellogg	Rockwell	Worden--111.
Ketchum	Safford	
Kittredge	Scofield	

Those who voted in the negative are Messrs.

Adams of Grand Isle	Field of Chester	Moulton
Ames	Field of Jerico	Needham
Atwood	Field of Wilmington	Nelson of Ryegate
Averill	Flagg	Parker of Bradford
Baldwin	Fullam	Parker of Underhill
Barr	Gibson	Partridge
Bingham	Hardy	Pineo
Bloomer	Harwood	Raymond
Bowman	Hazletine	Sears of Morristown
Bucklin	Hewes	Sherman
Carpenter of Moretown	Hicks	Smith of Monkton
Church	Hinman	Snyder
Coe	Hovey	Stevens of Essex
Cogswell	Howe of Lunenburg	Stevens of Newbury
Colton	Huntton	Tracy
Currier	Keith	Vincent
Davis	Kinsley	Walker
Dee	May	Warner
Duncan	Moore of Fairlee	Wood of Westford
Elliot	Moore of Newport	Woodbury of Bethel
Emery	Morrill	

62.

So it was determined in the affirmative.

Mr. Peck proposed the following amendment:

"Provided, also, that whenever any creditor, or his agent or attorney, shall make oath before the magistrate or clerk to whom he may apply for a writ, that he has good reason to believe that his debtor is about removing from the state, and that such debtor is justly indebted to him,



a writ of attachment may be issued, in the manner *now* provided by law, on which such debtor may be held to bail, and when judgment shall be recovered in such case against the debtor, execution may issue against his body as well as his property."

And the subject was under consideration when

The House adjourned.

WEDNESDAY, NOV. 1, 1837.

House met pursuant to adjournment.

Prayer by the Reverend Mr. Kelley.

The House resumed the consideration of the bill entitled

"An act to abolish imprisonment for debt."

Mr. Peck proposed an additional amendment by adding after the words "indebted to him" the following words:

"And that he has in his possession monies, goods, chattels, rights or credits, sufficient to pay the debt, or to the value of twenty dollars or more, exclusive of property now exempt from attachment and execution."

And on the question, Will the House adopt the amendment as amended? being taken, it was determined in the negative.

And the bill was read the second and third times and passed.

A message from the Senate by Mr. Williams, their secretary:

Mr. SPEAKER: the Senate concur with the House of Representatives in passing the following bills:

"An act directing the treasurer to pay James Sheldon the sum therein mentioned," and

"An act directing the treasurer to pay John T. Wiggins the sum therein mentioned."

The Senate do not concur with the House in passing the following bills:

"An act to repeal an act therein mentioned."

"An act to repeal part of an act therein mentioned."

"An act laying a tax on the lands in Granby," and

"An act in addition to an act entitled "an act reducing into one the several acts for laying out, making and repairing highways," &c.

The Senate concur with the House in passing the resolution relative to the examination of banks, with proposals of amendments.

The resolutions introduced by Mr. Peck, relative to the election of treasurer, were taken up, and severally read and passed.

The bill from the Senate entitled

"An act relating to inn-keepers and retailers,"

Was taken up.

Mr. Ames proposed to amend the bill by adding after the second section the following proviso:

"Provided, always, that it may be furnished as a medicine for the sick, with impunity."

Mr. Kittridge proposed to amend the amendment by inserting after the word "sick" the following words: "when prescribed by a practicing physician."

And the proposed amendment to the amendment was adopted, and the amendment as amended was adopted by the House.

And on the question, Shall the bill be read the second time? the yeas and nays were demanded and were as follows:

Those who voted in the affirmative are Messrs.

Adams of West Haven	Dillingham	Mason
Allen of Irasburgh	Doud	Martin
Allen of Westminster	Eaton of Stockbridge	Moore of Newport
Ames	Elliot	Nelson of Wheelock
Appleton	Ellsworth	Paige
Atkins	Emery	Palmer
Atwood	Everts	Parker of Underhill
Baker	Fairbanks	Paul
Barr	Farrington of Walden	Pennock
Bachelor	Field of Benson	Pope
Bloomer	Flagg	Richmond
Boutell	Fletcher	Robbins
Bowman	Foot	Robinson
Bradley	Foster	Rockwell
Brewster	Goodrich of Alburgh	Sherman
Brown of Eden	Harmon	Smith of Clarendon
Brownell	Harvey	Smith of Fairfield
Buck	Harwood	Smith of Sheffield
Bullock	Hastings	Snyder
Burgess	Himan	Stevens of Essex
Cardell	Hopkins	Warner
Carpenter of Ferrisburg	Hovey	Westover
Chittenden	Keith	Wheeler
Corbin	Kellogg	Wood of Westford
Crowley	Kittridge	Woobury of Baltimore
Darling	Lawrence	81.
Dawson	Leonard	
Dewey	Lockwood	

Those who voted in the negative are Messrs.

Adams of Brookline	Bond	Colby
Adams of Grand Isle	Briggs	Cole
Averill	Brigham	Colton
Bacon	Bucklin	Cory
Bailey	Butler	Cummings
Baldwin	Byington	Culver
Ballard	Capron	Currier
Barber	Carpenter of Moretown	Davis
Becket	Church	Dee
Bingham	Coe	Edgerton
Blodgett	Cogswell	Farman

Field of Chester	Huntoon	Safford
Field of Wilmington	Hutchinson	Samson
Fisk	Jackman	Scofield
Flint	Ketchum	Scott
French of Bloomfield	Lance	Sears of Morristown
Gillet	Manning	Seaver
Goodrich of Hardwick	Miner	Smith of Monkton
Haggood	Moore of Fairlee	Stevens of Newbury
Hardy	Morrill	Tilden
Hartwell	Nelson of Ryegate	Town of Mansfield
Hatch	Parker of Bradford	Town of Somerset
Hayward	Partridge	Tracy
Hazletine	Peabody	Trull
Hewett of Charlotte	Peck	Tyler
Hewett of Pomfret	Pierce	Vilas
Hewes	Pineo	Wiley of Landgrove
Hicks	Potter	Wiley of Weston
Holden	Raymond	Wilson
Houghton	Rice	Winchester
Howe of Lunenburg	Rich of Maidstone	Woodbury of Bethel
Hulett	Richardson	97.

So it was determined in the negative.

The amendments proposed by the Senate to the bill entitled  
 "An act concerning the Vermont Asylum for the Insane,"  
 Were concurred in by the House.

The bill entitled  
 "An act making appropriations for the support of government,"

Returned from the Senate with a proposed amendment, was taken up.

And on the question Will the House concur with the Senate in the proposed amendment? the yeas and nays were demanded and were as follows:

Those who voted in the affirmative are Messrs.

Adams of Grand Isle	Carpenter of Ferrisburg	Hastings
Allen of Irasburgh	Church	Hill
Atwood	Coggswell	Jackman
Averill	Colby	Lance
Ayres	Cory	Lawrence
Barr	Darling	Martin
Beckett	Dewey	Needham
Boutell	Dillingham	Palmer
Bradley	Doud	Peck
Briggs	Elliot	Raymond
Brigham	Fairbanks	Rice
Brown of Eden	Farman	Robinson
Brown of Goshen	Fletcher	Samson
Brown of Worcester	Foot	Scott
Bullock	Goodrich of Alburgh	Tilden
Byington	Harvey	Town of Woodbury

Tracy	Westover	Wood of Springfield
Tyler	Wheelock	Woodbury of Baltimore
Vincent	Wiley of Landgrove	54.

Those who voted in the negative are Messrs.

Ames	Flint	Morrill
Appleton	French of Bloomfield	Moulton
Atkins	Gibson	Nelson of Ryegate
Bailey	Gillett	Nelson of Wheelock
Baker	Goodrich of Hardwick	Paige
Baldwin	Hapgood	Parker of Bradford
Barber	Hardy	Parker of Underhill
Bachelor	Harmon	Partridge
Belden	Hartwell	Paul
Bemis	Hatch	Peabody
Blodgett	Hayward	Pierce
Bloomer	Hazeltine	Pineo
Bond	Hewett of Charlotte	Pope
Buck	Hewett of Pomfret	Potter
Bucklin	Hewes	Rich of Maidstone
Burgess	Hicks	Richmond
Bushnell	Hinman	Rockwell
Cardell	Holden	Safford
Chittenden	Hopkins	Scofield
Coe	Hopkinson	Sears of Morristown
Colton	Houghton	Seaver
Corbin	Hovey	Sherman
Corliss	Howe of Lunenburg	Sleeper
Crowley	Howe of Vernon	Smith of Clarendon
Cummings	Hulett	Smith of Monkton
Culver	Huntoon	Snyder
Currier	Hutchinson	Stevens of Essex
Davis	Keith	Stevens of Newbury
Dawson	Kellogg	Town of Mansfield
Dee	Ketchum	Town of Somerset
Duncan	Kidder	Trull
Eaton of Granville	Kinsley	Vilas
Eaton of Stockbridge	Kittredge	Walker
Edgerton	Leonard	Warner
Emery	Lockwood	Wiley of Weston
Farrington of Walden	Manning	Wilson
Field of Benson	May	Woodbury of Bethel
Field of Chester	Miner	Worden—119.
Fisk	Moore of Fairlee	
Flagg	Moore of Newport	

So it was determined in the negative.

The amendments proposed by the Senate to the bills of the following titles, were concurred in by the House :

"An act for the relief of Joseph Beeman."

"An act altering the name of Betsey Fling," and

"An act reducing into one the several acts relative to the corporation of the city of Vergennes."

Mr. Vilas, from the committee on bills, reported to the House that bills of the following titles had this day been presented to the Governor for his approbation and signature :

"An act directing the treasurer to pay John T. Wiggins the sum therein mentioned,"

"An act directing the treasurer to pay James Sheldon the sum therein mentioned," and

"An act directing the treasurer to pay George H. Peck the sum therein mentioned."

A message from the Senate, by Mr. Williams, their secretary :

Mr. SPEAKER : the Senate concur with the House of Representatives in passing the following bills :

"An act directing the treasurer to pay George H. Peck the sum therein mentioned," and

"An act relating to the right of trial by jury."

The Senate do not concur with the House in passing the following bills :

"An act relating to assignments," and

"An act in addition to the several acts providing for the appointment of notaries public."

The Senate do not concur with the House in passing the resolution for electing a treasurer.

The judiciary committee, on the bill from the Senate entitled

"An act declaring certain machinery to be fixtures,"

Reported the same ought not to pass, and the bill was re-committed to the same committee.

Bills from the Senate of the following titles were severally read the first, second and third times, and passed :

"An act concerning the revision of the statutes."

"An act assessing a tax on the county of Franklin," and

"An act in relation to highways."

The bill from the Senate entitled

"An act directing the treasurer to pay the town of Sutton the sum therein mentioned,"

Was read once and referred to the committee of claims.

The bill from the Senate entitled

"An act concerning the Vermont Asylum for the Insane,"

Was refused the first reading.

The bill from the Senate entitled

"An act to incorporate the Springfield paper company,"

Was refused the third reading.

The judiciary committee, on the resolution relative to extending the time in which new trials may be granted, for new discovered testimony, Reported that no legislation was necessary.

The committee on banks, to whom was referred the bank inspector's report, made the following

## REPORT:

*To the House of Representatives now in session :*

The committee on banks, to whom was referred the reports of the bank commissioners and bank inspector, have had the same under consideration, and respectfully beg leave to report, that it appears from said reports that all the banks in this state have continued to redeem their bills in Boston and New York as formerly, and have thus kept them good for all business purposes—that they have reduced the amount of their bills in circulation more than one third within the past year, by curtailing their discounts and collecting their debts as fast as the safety of the community would permit—that notwithstanding they have been compelled by the peculiar situation of the currency in our commercial cities, to suspend specie payment for their own safety and that of community, yet, in the opinion of your committee, there is no cause for alarm, and that all the banks in this state are perfectly solvent.

Your committee therefore report the following resolution and recommend the adoption thereof:

*Resolved*, That in consequence of the present deranged state of the currency throughout the Union, and the entire confidence of this House in the solvency of the banks in this state, any attempt to compel our banks immediately to resume specie payment, would compel the banks to discontinue their discounts and enforce the immediate collection of their debts and thus bring unparalleled distress upon the community.

All of which is respectfully submitted,

S. FULLAM, JR. for committee.

The House adjourned.

## AFTERNOON.

House met pursuant to adjournment.

A message from the Senate, by Mr. Williams their secretary:

Mr. SPEAKER: the Senate have passed several resolutions relative to the subject of slavery, and annexation of Texas, and new states whose constitutions tolerate domestic slavery, to the Union, and ask the concurrence of the House of Representatives.

The Senate still insist in their proposed amendment to the bill entitled

“An act making appropriations for the support of government.”

The following bill were severally referred to the next session of the legislature :

"An act relating to the liabilities of corporations."

"An act abolishing special pleadings in certain cases," and

"An act in addition to and in alteration of an act entitled an act directing the proceedings against the trustees of concealed or absconding debtors, passed Oct. 31st, 1797."

Mr. Needham moved that the House recede from their vote refusing to concur with the Senate in the proposed amendment of the Senate to the bill entitled

"An act making appropriations for the support of government."

And on the question Will the House recede from their vote? the yeas and nays were demanded, and were as follows :

Those who voted in the affirmative are Messrs.

Adams of Grand Isle	Church	Lance
Allen of Westminster	Cogswell	Manning
Ashley	Colby	Martin
Atwood	Colton	Needham
Averill	Cory	Peck
Ayres	Darling	Raymond
Bacon	Dillingham	Rice
Becket	Doud	Robbins
Bingham	Elliot	Samson
Blodgett	Ellsworth	Tilden
Bloomer	Field of Chester	Townsend
Boutell	Fletcher	Tyler
Bradley	Foot	Vincent
Briggs	Foster	Wheelock
Brigham	French of Williston	Wheeler
Brown of Eden	Fuller	Wiley of Landgrove
Brown of Goshen	Goodrich of Alburgh	Wood of Springfield
Brown of Worcester	Harvey	Woodbury of Baltimore
Byington	Harwood	60.
Capron	Hewett of Pomfret	
Carpenter of Ferrisburg	Jackman	

Those who voted in the negative are Messrs.

Adams of Westhaven	Bucklin	Culver
Ames	Burgess	Currier
Appleton	Bushnell	Davis
Atkins	Butler	Dawson
Bailey	Cardell	Dee
Baker	Carpenter of Moretown	Duncan
Barber	Chittenden	Eaton of Granville
Belding	Coe	Eaton of Stockbridge
Bemis	Cole	Edgerton
Bond	Corbin	Emery
Bowman	Corliss	Farman
Brownell	Crowley	Farrington of Brandon
Buck	Cummings	Farrington of Walden

Field of Benson	Keith	Richardson
Flagg	Ketchum	Richmond
Flint	Kidder	Rockwell
French of Bloomfield	Kittredge	Safford
Gibson	Leonard	Scotfield
Hapgood	Lockwood	Scott
Hardy	Mason	Sears of Morristown
Harmon	May	Sherman
Hartwell	Moore of Fairlee	Smith of Clarendon
Hatch	Moore of Newport	Smith of Monkton
Hayward	Morrill	Snyder
Hazletine	Moulton	Stevens of Essex
Hewett of Charlotte	Nelson of Ryegate	Stevens of Newbury
Hicks	Nelson of Wheelock	Town of Mansfield
Hinman	Palmer	Town of Somerset
Holden	Parker of Underhill	Trull
Hopkins	Partridge	Vilas
Hopkinson	Paul	Walker
Hovey	Peabody	Warner
Hulett	Pierce	Wilson
Huntoon	Pineo	Woodbury of Bethel
Hutchinson	Rich of Maidstone	Worden--104

So it was determined in the negative.

On motion of Mr. Kittridge, the House resolved to appoint a committee of conference on the disagreement of the two Houses upon the above bill.

And the Speaker appointed Messrs. Kittridge, Dillingham and Needham.

The petition of Jonathan Briggs and others,  
Was referred to the next session of the legislature.

A message from the Senate, by Mr. Williams, their secretary :

Mr. SPEAKER : the Senate have appointed as a committee of conference on the disagreement of the two Houses on the bill entitled

"An act making an appropriation for the support of government,"  
Messrs. Pierpoint, Briggs and Converse.

The Senate do not concur with the House of Representatives in their proposed amendment to the bill entitled

"An act directing the taxing of foreign bank stock," &c.

The bill from the Senate entitled

"An act regulating and governing the militia of this state,"

Was read the first, second and third times, and passed.

The bill from the Senate entitled

"An act to provide for the reporting the decisions of the supreme court,"

Was read the second time.

Mr. Needham offered the following amendment :

"And also that the reporter shall publish and deliver to the librarian at the state house, in each year, one copy of said reports for each or-



ganized town in this state, to be furnished at actual cost of publication, and paid for by the state," to be added to the second section.

And the amendment was adopted.

And on the question Shall the bill pass? the yeas and nays were demanded, and were as follows :

Those who voted in the affirmative are Messrs.

Adams of Brookline	Edgerton	Nelson of Rye-gate
Adams of Grand Isle	Fairbanks	Paige
Adams of West Haven	Farnam	Parker of Bradford
Allen of Irasburgh	Farrington of Brandon	Parker of Underhill
Allen of Westminster	Field of Benson	Partridge
Ashley	Field of Chester	Peck
Atwood	Field of Jerico	Pierce
Ayres	Fisk	Raymond
Barr	Flagg	Richmond
Bachelor	Fletcher	Robbins
Becket	Foot	Robinson
Belding	Foster	Rockwell
Bemis	French of Williston	Safford
Bond	Fullam	Scott
Boutell	Gibson	Sears of Morristown
Bradley	Hapgood	Smith of Clarendon
Brewster	Harmon	Smith of Monkton
Briggs	Hastings	Smith of Sheffield
Brown of Eden	Hazeltine	Snyder
Brown of Goshen	Hinman	Tilden
Brown of Worcester	Holden	Town of Mansfield
Bucklin	Hopkins	Town of Somerset
Burgess	Hovey	Town of Woodbury
Bushnell	Huntoon	Townsend
Byington	Jackman	Tracy
Chittenden	Keith	Vilas
Cogswell	Kellogg	Wheeler
Cole	Ketchum	Wiley of Landgrove
Colton	Kittridge	Wiley of Weston
Cory	Lance	Wilson
Crowley	Lawrence	Winchester
Culver	Leonard	Wood of Springfield
Dewey	Lockwood	Wood of Westford
Dillingham	Mason	Woodbury of Baltimore
Duncan	Martin	Woodbury of Bethel
Eaton of Granville	Moore of Newport	Worden—112.
Eaton of Stockbridge	Moulton	
Everts	Needham	

Those who voted in the negative are Messrs.

Atkins	Church	Davis
Averill	Coe	Dee
Bailey	Corliss	Field of Wilmington
Buck	Currier	Flint
Carpenter of Moretown	Darling	Gillet

Hardy	Hopkinson	Palmer
Hartwell	Howe of Lunenburg	Pope
Hatch	May	Richardson
Hewett of Pomfret	Miner	Samson
Hewes	Moore of Fairlee	Tyler
Hill	Nelson of Wheelock	Warner—33.

So it was determined in the affirmative.

The bill from the Senate entitled

"An act directing the treasurer to pay the town of Sutton the sum therein mentioned,"

Was taken up.

Mr. Field of Wilmington offered an amendment, which was adopted, and the bill as amended was read the second and third times and passed.

A message from the Senate, by Mr. Williams, their secretary :

Mr. SPEAKER : the Senate concur with the House of Representatives in their amendments to the bill entitled

"An act to provide for reporting the decisions of the supreme court."

The Senate do not concur with the House in passing the following bills :

"An act authorizing the proprietors of Ripton to divide their common and undivided lands," and

"An act in relation to and extending the liberties of jail yards within this state."

Mr. Colby, from the committee on bills, reported that the following bills had this day been presented to the Governor for his approbation and signature :

"An act to amend and reduce into one the several acts relating to the corporation of the city of Vergennes."

"An act concerning the revision of the statutes."

"An act in relation to highways."

"An act altering the names of certain persons."

"An act for the relief of Joseph Beeman."

"An act concerning the Vermont Asylum for the Insane."

"An act relating to the right of trial by jury," and

"An act assessing a tax on the county of Franklin."

The House resolved still to insist in their proposed amendments to the bill entitled

"An act taxing foreign bank stock," &c.

The chair announced the following communication from the Governor :

EXECUTIVE CHAMBER, }  
Nov. 1, 1837. }

SIR : I herewith transmit to the House of Representatives a copy of the report of the auditor in the treasury department.

I have the honor to remain,

Your obedient servant,

S. H. JENISON.

Hon. SOLOMON FOOT, Speaker of the House of Representatives.

Which was read.

Y

The following is the

## REPORT:

*To his Excellency Silas H. Jenison, Governor of the State of Vermont:*

The auditor in the treasury department, appointed by the House of Representatives, October session, 1837, to examine and audit the accounts of the treasurer for the year next following the 30th day of September 1837, having been duly sworn has attended to the duties of his appointment so far as relates to the accounts of Augustine Clarke, Esq., late treasurer of said state, from the said 30th day of September 1837, to the 30th day of October, 1837, reports the following to be a correct statement of the treasury on said 30th day of October, 1837.

### THE STATE OF VERMONT IN ACCOUNT WITH A. CLARKE, TREASURER,

1837, Oct. 30.		Dr.
To cash paid judges supreme court,	\$59 05	
Deduct debenture,	58 47	300 58
county and supreme court orders,		4,242 75
bear certificates,		109 00
fox do		618 85
crow do		42 50
wolf do		20 00
panther do		20 00
for cocoons,		17 35
E. Hutchinson, on special act,		40 00
auditor's orders		832 91
superintendent of state house,		1,550 00
several state's attorneys,		782 66
engrossing clerk's half year's salary,		87 50
secretary of state do		150 00
secretary of senate do		137 50
secretary of civil and military affairs half year's salary,		100 00
assistant clerk of house half year's salary,		75 00
Winhall overpaid on foxes,		1 28
balance in the treasury,		16,729 72
		<hr/> \$25,857 60
1837, Oct. 30.		Cr.
By balance in the treasury on settlement of 30th Sept. 1837,		5,940 62
cash received on taxes,		16,561 14
interest on taxes,		280 37
of several state's attorneys,		1,050 79
for safety fund,		600 00
dividend of bank of Orleans,	90 00	
" " Middlebury,	200 00	
" " Windsor,	203 06	
" " St. Albans,	240 00	
for pedlar's licences,	275 00	
interest on school fund notes,	416 62	1,424 68
		<hr/> \$25,857 60

The auditor further adds that the said A. Clarke, Esq. has delivered to the auditor the sum of thirty-one dollars in counterfeit bank bills, which he states he received on demands due the state while transacting the business of the treasury department, and that no part of said sum has ever been allowed him, and which sum he claims should be allowed in part of the balance due from him.

I have the honor to be,

Your Excellency's most obedient servant,

CHARLES DAVIS.

A message from the Senate, by Mr. Williams, their secretary :

Mr. SPEAKER : the Senate still insist in their amendment to the bill from the House entitled

"An act making appropriations for the support of government."

The Senate concur with the House in their proposed amendments to the bill entitled

"An act to pay the town of Sutton," &c.

The Senate still adhere to their vote refusing to concur with the House in the amendments of the House to the bill entitled

"An act taxing foreign bank stock," &c.

The House resolved to recede from the vote refusing to concur with the Senate in their amendment to the bill entitled

"An act making appropriations for the support of Government."

And on motion of Mr. Kittridge, the amendment of the Senate was amended by striking out the words "five thousand," and inserting *thirty-five hundred*.

The House resolved to concur with the Senate in passing a resolution for a joint assembly this evening, at seven o'clock, for the purpose of electing a reporter of the decisions of the supreme court.

Mr. Vilas, from the committee on bills, reported to the House that the following bills had this day been presented to the Governor for his approbation and signature :

"An act for regulating and governing the militia of this state."

"An act directing the treasurer to pay the town of Sutton the sum therein mentioned," and

"An act to provide for reporting the decisions of the supreme court."

The House adjourned.

#### EVENING.

House met pursuant to adjournment.

The land tax committee, on the resolution relative to taxing wild land,

Reported that no legislation was necessary upon the subject.

The committee of claims, on the bill entitled

"An act to pay William Spafford the sum therein mentioned,"

Reported that the same ought to be referred to the next session of the legislature, and the bill was so referred.

A message from the Senate, by Mr. Williams, their secretary :

Mr. SPEAKER : the Senate have passed a resolution directing the librarian to loan certain books, and ask the concurrence of the House of Representatives.

The select committee on the Putney memorial, made the following

## REPORT :

The committee to whom were referred numerous petitions of citizens in all parts of the state, praying that our Senators in Congress be instructed, and our Representatives requested to use their influence to prevent the annexation by that body, of Texas to the United States, and calling on the General Assembly of Vermont itself to protest against the same in any way being done—

And to whom were also referred numerous memorials from various parts of the state, praying this honorable body to adopt resolutions declaring—

*First*, That Congress has the constitutional power to abolish slavery and the slave trade in the District of Columbia ;

*Second*, That it has the constitutional power to abolish them in the several Territories of the Union where they exist ;

*Third*, That it has the constitutional power to prohibit the slave trade between the several states of the Union ; and

*Fourth*, That in regard to all these particulars, Congress ought immediately to exercise that power ;

And to whom were also referred numerous petitions praying this honorable body to protest against the admission of any new state into this Union, whose constitution tolerates domestic slavery, have had the same under consideration, and beg leave to report as follows :—

The committee have not been enabled to find in the constitution of the United States any provision delegating to Congress power to incorporate with our territory a separate and independent state. Such is Texas. It is true Congress possesses power to admit into the Union “new states”—but it is believed they must be those and only those, whose constitutional forms of government are authorized and approved by the legislative sanction of that body.

The purchase of Louisiana and Florida and the annexation of them to the territory of the government, were, it is believed, assumptions of power on the part of the government with which the constitution did not clothe that body. Popular approbation, added to the fact that these acquisitions were necessary to the safe and convenient use of our fellow citizens, of large sections of our country lying contiguous to them, prevented, at the time, any strong opposition to these acts of purchase, or any examination of a serious character into the authority by which they were done. But, leaving out of view, what is thought to be a decisive constitutional inhibition of the annexation of Texas to the Union, there are other objections which seem insurmountable to the committee. The state of Mexico, of which Texas was one of the confederate provinces,—and from which it has but lately been torn by violence,—had adopted and practically carried out, in her political organization, sentiments that, it seems to the committee, lie at the foundation of all just government, and which are thus happily set forth in the constitution of this state :—“ *All men are born equally free and independent, and have certain natural, inherent and inalienable rights, among which are the enjoying and defending of life and liberty ; acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety.*” Under the influence of these principles, Mexico, in a manner that won for her the augmented respect of the civilized world, had honorably abolished the system of slavery, that attached to her during her colonial dependence on the kingdom of Spain. Texas, on the other hand, no sooner had separated from Mexico and assumed an independent position, than she showed an utter disregard of these principles, and of the just respect of the great body of christian nations, by incorporating indissolubly with her political system, the enslavement—the unconditional and perpetual enslavement, of a part of the human family—of that part, too, who it seems to your committee, have already wept long enough over the wrongs and afflictions they have suffered from their brethren.

Against every form of oppression, the people of Vermont have, at all times, borne honorable testimony. In their constitution they have published to the world their everlasting opposition to all slavery—even down to the minutest and least revolting of its modifications.

It would, then, be inconsistent in Vermont—it would prove that she had somewhat cooled in the fervor of her love for liberty, should she consent to be drawn into close and fraternal bonds with a people who, beyond any yet known in modern times, have made the most deliberate and heartless assault on human freedom.

There is one other reason against this measure, that the committee ought not to omit presenting to your honorable body. Its most industrious advocates urge it—not because our population, too crowded for our present bounds, justly call for others more extended; not because it is necessary to the unincumbered, safe and profitable use and enjoyment of all the resources and advantages of any part of the territory we now possess;—but for the avowed object of adding to and confirming the slaveholding influence in the management of the government. The anarchy and disorder that now prevail in the South—the apparent overthrow, of late, of her own constitutional and legal barriers, erected for the security of the citizens, and the seeming want of power in her proper authorities, to re-establish them—the illegal outrages which her own citizens as well as those from the free states have suffered for the last two or three years in the South, and to which, it would appear, up to this time, they are exposed,—outrages that, so far as your committee have the means of information, have in many instances, been provoked by an honorable advocacy of liberty, and a condemnation of slavery not less honorable, or from a suspicion that the one was honored and the other detested—outrages that have been passed by unpunished and unnoticed by the proper tribunals where they have been perpetrated—these, and other fearful sacrifices of important interests by the North, demanded by the South to be offered up for the security of her peculiar institution—the surrender that she asks from us of the *freedom of speech—the liberty of the press—the right of petition*—all these united, inspire your committee with a well founded apprehension, that the additional weight which the annexation of Texas to the United States would give to the slaveholding interest in our political organization, would, in all probability, soon lead, either to a dissolution of the Union, or to the political degradation of the free states, and eventually to the entire overthrow of their common liberties: Wherefore, the committee recommend

the adoption by the General Assembly of the following resolutions.

W. R. RANNEY, }  
MILTON BROWN, } *for Committee.*

1. *Resolved by the Senate and House of Representatives,* That our Senators in Congress be instructed, and our Representatives requested to use their influence in that body to prevent the annexation of Texas to the Union.

2. *Resolved,* That, representing as we do the People of Vermont, we do, hereby, in their name, SOLEMNLY PROTEST against such annexation in any form.

3. *Resolved,* That as the Representatives of the people of Vermont, we do solemnly protest against the admission into this Union, of any state whose constitution tolerates domestic slavery.

4. *Resolved,* That Congress have full power by the constitution, to abolish slavery and the slave trade in the District of Columbia and in the Territories of the United States.

5. *Resolved,* That Congress has the constitutional power to prohibit the slave trade between the several states of this Union, and to make such laws as shall effectually prohibit such trade.

6. *Resolved,* That our Senators in Congress be instructed and our Representatives requested to present the foregoing Report and Resolutions to their respective Houses in Congress, and use their influence to carry the same speedily into effect.

7. *Resolved,* That the Governor of this State be requested to transmit a copy of the foregoing Report and Resolutions to the President of the United States, to the Executives of the several States, and to each of our Senators and Representatives in Congress.

The Speaker presented the report of the auditor appointed by joint resolution to audit the account of the superintendant of the state house. (See appendix.)

A message from the Senate, by Mr. Williams, their secretary :

Mr. SPEAKER: the Senate concur with the House in the proposed amendment of the House to the amendment proposed by the Senate to the bill from the House entitled

“An act making appropriations for the support of government.”

The resolution from the Senate directing the librarian to loan certain books, was read, and the House resolved to concur in passing the same.



Five resolutions from the Senate, relative to abolishing slavery in the District of Columbia, the annexation of Texas and new states to the Union whose constitutions admit domestic slavery, were severally read, and the House resolved to concur.

The committee of elections, agreeably to instructions, reported the following resolutions:

*Resolved*, That at any freemen's meeting legally warned and holden, the majority of said meeting have not the power, by dissolving or adjourning said meeting contrary to the expressed will of the minority, to deprive the minority of the exercise of the privilege of voting for representative.

*Resolved*, That Elijah Flint, the returned member from the town of Braintree, is entitled to a seat in this House.

The first resolution was read and passed.

Mr. Colby moved to amend the second resolution by inserting before the word "entitled" the word "not."

And the amendment was adopted by the House.

Mr. Town of Mansfield moved to refer the resolution to the next session of the legislature.

And on the question Shall the resolution be so referred? the yeas and nays were demanded, and were as follows:

Those who voted in the affirmative are Messrs.

Ames	Dee	Town of Mansfield—5.
Averill	Field of Wilmington	

Those who voted in the negative are Messrs.

Adams of Brookline	Bradley	Corliss
Adams of Grand Isle	Brewster	Cory
Adams of Westhaven	Briggs	Crowley
Allen of Irasburgh	Brigham	Cummings
Allen of Westminster	Brown of Eden	Culver
Appleton	Brownell	Currier
Ashley	Buck	Darling
Atkins	Bucklin	Davis
Atwood	Bullock	Dawson
Ayres	Burgess	Dewey
Bacon	Bushnell	Dillingham
Bailey	Butler	Doud
Barber	Byington	Eaton of Stockbridge
Barr	Capron	Edgerton
Bachelor	Carpenter of Ferrisburg	Elliot
Becket	Carpenter of Moretown	Ellsworth
Belding	Chittenden	Emery
Bemis	Church	Everts
Bingham	Coe	Fairbanks
Blodgett	Cogswell	Farman
Bloomer	Colby	Farrington of Brandon
Bond	Cole	Farrington of Walden
Bouteli	Colton	Field of Benson
Bowman	Corbin	Field of Chester

Field of Jerico	Kellogg	Richmond
Fisk	Kidder	Robbins
Fletcher	Kittredge	Robinson
Flint	Lance	Rockwell
Foot	Lawrence	Samson
French of Bloomfield	Leonard	Scott
Fullam	Lockwood	Sears of Morristown
Fuller	Manning	Seaver
Gibson	Mason	Sherman
Gillett	Martin	Sleeper
Goodrich of Alburgh	May	Smith of Clarendon
Goodrich of Hardwick	Miner	Smith of Sheffield
Hapgood	Moore of Fairlee	Stevens of Essex
Hardy	Moore of Newport	Stevens of Newbury
Harmon	Morrill	Townslcy
Hartwell	Moulton	Tracy
Harvey	Needham	Trull
Harwood	Nelson of Ryegate	Tyler
Hastings	Nelson of Wheelock	Vincent
Hatch	Palmer	Walker
Hayward	Parker of Bradford	Warner
Hewes	Parker of Underhill	Webster
Hicks	Partridge	Westover
Hinman	Paul	Wheelock
Holden	Peabody	Wheeler
Hopkins	Peck	Wiley of Landgrove
Hopkinson	Pennock	Wiley of Weston
Houghton	Pierce	Wilson
Howe of Lunenburg	Pineo	Wood of Springfield
Howe of Vernon	Pope	Wood of Westford
Hulett	Potter	Woodbury of Baltimore
Huntoon	Raymond	Woodbury of Bethel
Hutchinson	Rice	Worden--174.
Jackman	Rich of Shoreham	
Keith	Richardson	

So it was determined in the negative.

And on the question Shall the resolution pass? the yeas and nays were demanded, and were as follows:

Those who voted in the affirmative are Messrs.

Adams of Brookline	Bloomer	Butler
Adams of Grand Isle	Boutell	Byington
Adams of West Haven	Bradley	Capron
Allen of Westminster	Brewster	Carpenter of Ferrisburg
Ashley	Briggs	Chittenden
Atwood	Brigham	Colby
Ayres	Brown of Eden	Cole
Bacon	Buck	Colton
Ballard	Bucklin	Corbin
Bachelor	Bullock	Corliss
Blotgett	Burgess	Cory

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Crowley	Harmon	Pierce
Cummings	Harvey	Pope
Darling	Harwood	Rice
Dewey	Hastings	Richmond
Doud	Hopkins	Rockwell
Duncan	Howe of Vernon	Sherman
Eaton of Stockbridge	Jackman	Smith of Clarendon
Ellsworth	Keith	Townesley
Emery	Kellogg	Tracy
Everts	Kidder	Westover
Fairbanks	Kittridge	Wheelock
Farman	Lawrence	Wheeler
Farrington of Brandon	Leonard	Wiley of Landgrove
Field of Benson	Lockwood	Wiley of Weston
Field of Jerico	Mason	Wood of Springfield
Fisk	Martin	Wood of Westford
Foot	Moore of Newport	Woobury of Baltimore
Foster	Moulton	Woobury of Bethel
Fullam	Paige	Worden—95.
Goodrich of Alburgh	Paul	

Those who voted in the negative are Messrs.

Allen of Irasburgh	Goodrich of Hardwick	Pineo
Appleton	Hardy	Potter
Atkins	Hartwell	Raymond
Averill	Hatch	Rich of Maidstone
Bailey	Hayward	Richardson
Barber	Hewes	Robbins
Barr	Hicks	Robinson
Becket	Hinman	Safford
Belden	Holden	Samson
Bemis	Houghton	Scott
Bingham	Howe of Lunenburg	Sears of Morristown
Bowman	Hulett	Seaver
Bushnell	Huntoon	Sleeper
Carpenter of Moretown	Hutchinson	Smith of Monkton
Church	Lance	Smith of Sheffield
Coe	May	Stevens of Essex
Cogswell	Miner	Stevens of Newbury
Currier	Moore of Fairlee	Town of Mansfield
Dawson	Morrill	Town of Somerset
Dee	Needham	Trull
Dillingham	Nelson of Ryegate	Tyler
Elliot	Nelson of Wheelock	Vilas
Farrington of Walden	Palmer	Vincent
Field of Chester	Parker of Bradford	Walker
Field of Wilmington	Partridge	Warner
French of Bloomfield	Peabody	Webster
Gibson	Peck	Wilson—83.
Gillet	Pennock	

So it was determined in the affirmative.

Mr. Peck introduced the following resolution :

*Resolved*, That the thanks of this House be presented to the Hon. Solomon Foot, Speaker thereof, for the dignity, ability and impartiality with which he has discharged the duties of the chair during the present session.

Which was read and passed.

The committee to make up the grand list, made the following

## REPORT :

*To the General Assembly now in session :*

The committee appointed to make up the grand list, respectfully report, that they have accomplished the business assigned them, and herewith present the general list. (See appendix.)

ROYAL HATCH, for committee.

The bill entitled

"An act relative to the grand list,"

Was referred to the next session of the legislature.

The bill entitled

"An act to pay Rufus Campbell the sum therein mentioned,"

Was read the second and third times and passed.

A message from the Senate, by Mr. Williams, their secretary :

Mr. SPEAKER : the Senate concur with the House of Representatives in passing the bill entitled

"An act laying a tax on Granby."

Mr. Fartridge's resolutions relative to banks, were referred to the next session of the legislature.

Mr. Dee's resolution, declaring the Legislature have not the constitutional right to interdict the traffic in ardent spirits, was passed.

The bill from the Senate entitled

"An act declaring certain machinery to be fixtures,"

Was taken up, and the House refused the second reading.

The resolution returned from the Senate, relative to the duties of bank inspector, with the following proposed amendments, proposed by the Senate, were ordered to be laid on the table.

The amendments are as follows :

In the fourth and fifth lines, strike out the words "the books, papers, and vaults, and," and in the sixth line after the word "oath" insert the following words : *and to examine the books, papers and vaults of said banks.*

Strike out all of the 15th, 16th, 17th, 18th and 19th lines, from the word "ascertain" in the 15th line, to the words "and that" in the 19th line, and insert in lieu thereof the following words : *the rule by which the several banks determine the amount of profits in their business.*

Insert in the 19th line before the words "and that" the following words :

"Also the gross amount of all loans made to the officers of any bank ; the gross amount of loans made to the stockholders, not officers of any bank, remaining due and unpaid at the time of said examination. Also the number and amount of all loans over the sum of five thousand dollars made to any individual or company, remaining due and unpaid at the time of such examination."

Add to the resolution after the last word, the following words :

"And as the late President of the United States, by unwise and unauthorised measures, and in defiance of the expressed will of Congress, has deranged the currency and thereby involved the country in distress and ruin ; and as the present President of the United States, pledging himself to follow in the footsteps of his predecessor, has in his late message declared, that it was not within the constitutional province of the general government to regulate the exchanges or relieve the embarrassments of the country ; and as the banks in this state, by reason of the general derangement of the currency, have been compelled for the time being to suspend specie payment ; that said bank committee and commissioner be directed to report to the next session of the legislature, some plan by which the people of this state can be again furnished with such safe and stable currency as will enable the holders of any bank bills to convert said bills into specie at pleasure."

The bill from the Senate entitled

"An act relating to prisoners and jail yards,"

Was amended and read the third time and passed.

Mr. Vilas, from the committee on bills, reported to the House that the following bills had been this day presented to the Governor for his approbation and signature :

"An act directing the treasurer to pay Rufus Campbell the sum therein mentioned."

"An act laying a tax on the lands in Granby," and

"An act making appropriations for the support of government."

The clerk was directed to wait on His Excellency the Governor, and enquire if he had any further communications to make to the House.

A message from the Senate, by Mr. Williams, their secretary :

Mr. SPEAKER : the Senate have on their part closed the business of the present session.

The House adjourned.

THURSDAY, NOV. 2, 1837.

House met pursuant to adjournment.

The Speaker being absent, Mr. Hopkins was appointed Speaker *pro tem*.

The clerk was directed to inform the Senate that the House have on their part completed the business of the present session.

After prayer by the Reverend Mr. Ames,

The House adjourned without day.

## APPENDIX.

### REPORT OF THE BANK INSPECTOR.

*To the General Assembly of the State of Vermont now in session :*

The undersigned respectfully makes the following report of the state and present condition of the several banks in this state not subject to the safety-fund act.

In consideration of the present peculiar attitude of the banks towards the community, I felt that the interests both of the people and of the banks called for a statement more in detail than heretofore practiced and perhaps called for.

The statements and accompanying explanations were made to me by the several cashiers, under oath, and I made such reference to their books, papers and vaults, as to satisfy myself of their probable correctness and truth. I took, and have noted at the foot of the several statements, their opinion of the solvency of the demands due them ; to have done more would have taken weeks of examination, nor did I, in the course of my inspection, make any discoveries that would require it. Owing to the different modes in which the banks keep their books, I have not been able to get like statements from them all ; so far as practicable I have taken their standing from month to month exhibiting the ordinary height of their circulation, specie, from time to time, and how far, since suspension of specie payment, they have contracted or enlarged their discounts. In note to statements I have named the houses where their funds in the cities are deposited. All the banks represent their deposits in the cities to be made for the redemption of their bills ; that it consists of bills of exchange, drafts, current bills of other banks and similar funds, and does not, in any part, consist in their own bills, nor is raised by the mere credit of the banks. They further represent that they never allow depositors of funds in their banks to overdraw their deposits. After inspecting two or three of the banks, inquiries suggested themselves that did not at first occur. In some I have given the whole amount in gross of the indebtedness of the directors and officers, the number of notes discounted within various denominations, during the year embraced in the statements, which may tend to show, somewhat, how far the banks have confined their accommodations to a few and in large amounts, and how far they have granted to the many and in small amounts. The banks have all suspended specie payment in the redemption of their bills ; the time is also noted. The banks have continued, as usual, to redeem their bills in the cities and keep them there at their usual par value. All the banks save St. Albans, keep a dead deposit in the Suffolk bank in Boston, of three thousand dollars, or some under, which lies there without interest to our banks ; in consideration of this the city bank receives the bills of our banks at par, under an engagement on the part of our banks to redeem them as fast

as there received, which is done with the funds noted in the statements as "deposits in the cities"; our banks drawing a per cent. less than six per cent. on the smallest amount of their deposits in any one month, for that month; and if their deposits do not equal at stated times their bills redeemed, they pay six per cent while they stand so overdrawn. They do not allow themselves to stand long overdrawn, and in monthly statements of their deposits and bills redeemed, where they had overdrawn, I noted by their books funds equal to such difference had been remitted, which would have ordinarily reached their deposit by the time such monthly statement of deposit account reached our banks.

The statements follow in the order the banks were inspected.

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STATEMENT OF BANK OF WINDSOR, 17TH JUNE, 1837.

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	Cr.		Dr.
Bills discounted	128,660 88	Capital stock paid in	80,000 00
Loans on bond and mortgage	925 22	Exchange account	43 17
Domestic bills of exchange	5,200 00	Deposites, due U. S.	21,200 00
Due from bank of Suffolk	3,000 00	Thos. Emerson, pension agent	22,495 05
Deposits in Boston	17,358 65	Balance due other depositors	3,071 20
" "	4,434 00	Dividends due	98 04
Specie	13,322 06	Bills of bank in circulation	37,827 00
Banking house	4,000 00	Balance of account, profit and loss	12,166 35
	<u>\$176,900 81</u>		<u>\$176,900 81</u>

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Specie payment suspended 13th May, 1837—not since resumed. Demands due bank represented to be good.

When I was at this bank in August, the cashier was ill. The bank in all respects was in as good condition as at the time of the date of this statement. Specie the same; circulation nearly so. I compared this statement with the books. I left it for the cashier to send me his August statement in form, but it has not reached me.

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STATEMENT OF BANK OF BENNINGTON, 29TH AUGUST, 1837.

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	Cr.		Dr.
Discounted notes	181,490 98	Capital stock paid in	94,970 00
Loans and cash items	12,727 29	Bills of bank in circulation	131,891 00
Deposits in N. York and Boston	13,580 82	Dividends unpaid	1,096 00
Deposites in Troy	17,002 38	Due depositors	11,430 21
Foreign bills	882 00		
Specie	9,711 40		<u>\$239,387 21</u>
Real estate	3,992 34		
	<u>\$239,387 21</u>		

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Suspended specie payment 15th May, 1837—not yet resumed. Demands due bank represented to be good.

Statements, from month to month, of the *BANK OF RUTLAND*, from August 1836 to August 1837.

1836	Notes and demands.	Funds deposited in City and country banks.	Specie.	Foreign bills.	Cr. assets total.	Capital stock paid in bank.	Circulation of bills of bank.	Due depositors.	Due other banks.	Dividends.	Dr. Total amounts of.	Profit & loss in the difference.						
Aug. 20th	236,483	58,59,063	94	6,192	65	21,918	35,323,658	52	100,000	183,520	34,591	29,933	92	624	319,739	21	3,919	31
Sept.	251,865	34,32,231	52	4,936	46	12,356	351,389	32	"	211,705	33,729	09	"	410	345,844	09	"	"
Oct.	247,084	21,76,645	01	4,006	67	9,413	337,748	89	"	196,842	33,788	66	"	382	331,012	66	"	"
Nov.	222,208	04,69,173	67	6,905	00	22,106	73,320,338	44	"	179,986	33,505	85	89	26	328	313,909	11	"
Dec.	202,495	79,92,509	43	6,600	35	9,866	311,471	57	"	173,040	32,074	04	"	4,240	309,354	04	"	"
Jan. 1837	196,207	52,91,065	43	6,920	53	10,376	304,569	48	"	168,279	30,767	86	"	1,664	300,710	86	"	"
Feb. do	195,204	94,97,977	81	11,578	77	18,573	323,334	52	"	131,839	34,388	09	67	21	1,442	318,956	30	"
Mar. do	213,152	21,94,925	87	12,203	78	28,088	348,369	86	"	204,135	36,862	83	69	02	964	342,653	85	"
April do	216,979	82,130,674	99	12,466	96	7,341	367,462	77	"	226,607	33,740	34	"	410	360,757	34	"	"
May do	182,461	96,47,951	49	7,244	28	10,724	248,381	13	"	133,198	7,019	82	11	5	386	240,719	30	"
June do	169,424	26,44,057	08	7,608	69	3,844	224,935	03	"	109,770	5,960	30	43	07	386	216,554	37	"
July do	155,699	91,56,027	13	7,311	74	7,972	88,222,611	66	"	106,832	8,166	20	49	91	1,870	217,366	11	"
Aug. do	138,737	55,67,147	20	7,341	13	13,380	226,605	88	"	109,898	7,204	90	74	09	1,232	219,080	99	"

Names of banks & houses where deposits were made in August, 1837, and the amounts deposited:

Dana and others, Boston,	39,290	64
Farmers' bank, Troy,	22,977	75
Bank Manchester	2	00
" Whitehall	1	90
" Suffolk	3,000	00
Cost of banking house	1,874	91
	67,147	20

Suspended specie payment 15th May, 1837—not yet resumed.

Save one transaction in the winter of 1837 of \$18,000, which accrued on answering drafts drawn on persons abroad, to purchase wool, the bank represents that it has not discounted at one discount to exceed \$6,000, during the year embraced in the above statement; that the bank does not hold over two notes due to exceed \$5,000—most of their notes discounted are under \$1,000—many below \$100. All but \$4000 of the demands due the bank are considered good; on this sum the bank expects it may suffer a partial loss.

Has \$9,328 00 of their bills in hands of agents to exchange—this, added to the amount per statement, \$109,898, makes the total \$119,226 00.



*Statement, from month to month, of the BANK OF VERGENNES, from Sept. 1836 to Sept. 1837, both inclusive.*

1836	Notes and bills discounted	Funds in City and country, &c.	Specie.	Foreign bills.	Cr. Assets, total am't of.	Capital stock p'd in.	Circulation of bills of bank.	Due depositors.	Due other banks.	Dividends due.	Dr. total am't of	Profit & loss in the difference in accounts.
Sept	163,416	73 35,463	67 3,435	34 21,169	79 223,487	53 80,000	131,282	7,598	84	425 50	219,306	34 4,181 19
Oct.	221,933	43 24,898	48 4,564	15 15,016	47 266,412	53 "	144,503	19,569	32	179 10	259,933	46
Nov.	196,941	31 20,494	65 4,952	74 12,527	68 234,916	41 "	133,392	10,733	29	56 70	227,394	30
Dec.	474,419	90 24,366	20 5,475	73 5,981	00 210,242	83 "	90,472	22,154	53	711 93	56 70	202,395 16
Jan. 1837	147,434	67 35,005	26 5,338	46 14,355	51 202,123	90 "	86,547	25,254	59	1,851 40	2,441 51	196,094 50
Feb. do	163,324	19 24,017	48 5,039	14 9,719	32 202,150	13 "	93,281	26,630	31	772 27	734 30	211,417 88
Mar. do	174,203	54 14,954	17 4,924	04 9,503	21 203,584	96 "	99,776	12,873	36	3,955 04	217 40	196,821 80
April do	161,383	42 22,760	40 5,084	64 14,023	27 203,256	73 "	96,208	17,135	09	3,390 00	177 40	196,910 49
May do	136,535	20 21,995	22 4,082	00 5,797	00 168,389	42 "	71,702	8,446	10	393 04	177 40	160,818 54
June do	132,623	97 17,533	27 4,015	42 2,855	17 157,027	83 "	66,902	1,617	37	573 87	177 40	149,270 64
July do	144,264	20 16,144	33 3,881	18 12,031	00 176,320	71 "	80,356	8,003	03	737 06	2,331 00	171,427 09
Aug. do	135,785	89 30,174	31 3,769	00 6,576	89 176,306	09 "	87,366	2,364	20	246 83	440 60	170,417 63
Sept do	139,749	85 23,920	49 3,757	76 9,003	98 176,436	08 "	82,742	7,307	00	107 80	312 60	170,469 40

Names of banks where funds are deposited. Funds Suspended specie payment, 23d May, 1837—not since resumed.

given in gross, as stated September, 1837: Bills discounted are domestic bills of exchange; in no case are they fictitious—same as noted on Burlington bank. The indebtedness of no director or officer of the bank exceeds, as it is represented, \$5,000. The largest discounted paper, due from any one concern, does not, as represented, exceed \$6,000. Not over \$100 of demands due the bank are considered doubtful or bad. Discounted within the year past 112 notes of \$100—161 of \$100 and onward to 200—220 of \$200 & onward to 500—163 notes of \$500 and onward to 1000—124 of \$1000 & onward to 2000—39 notes of \$2000 and onward to 3000—20 notes of \$3000 and onward to 4000—4 notes of \$4000 to 5000—2 notes of \$5000 to 10,000—one note over \$10,000.

Statement, from month to month, of the **BANK OF BURLINGTON**, from Sept. 1836 to Sept. 1837, both inclusive.

1836	Notes and bills discounted	Funds in N York & Boston.	Specie.	Foreign bills.	Re- al- tate	Cr. Assets, to- tal am't of.	Capital stock.	Circula- tion of bills of bank.	Due de- positors.	Due oth. b'ks	Divi- d'nds due.	Dr. total am't of	Profit & loss in the diff- erence in accounts.
Sept	395,405 86	127,173 09	33,392 86	13,929 86	500,570,391 67	150,000	208,732	190,529	373,549,634 00	9,242 33			
Oct.	458,846 83	106,187 78	24,921 35	25,644 32	"	"	211,246	230,451 54	373,599,070 54				
Nov.	430,352 22	57,350 33	21,700 09	10,445 28	"	529,347 92	"	191,012	172,815 91	1,357 515,384 91			
Dec.	387,422 40	54,439 76	21,751 54	14,255 39	"	475,369 09	"	131,843	176,494 37	717 459,054 37			
Jan. 1837	340,986 08	75,507 20	21,175 17	17,392 92	"	455,361 46	"	116,879	170,100 60	665 437,044 60			
Feb.	361,597 03	84,984 71	20,529 44	12,715 80	"	480,326 98	"	104,978	206,537 77	597 46,112 77			
Mar. do	379,934 45	37,764 72	21,193 62	24,813 06	"	464,205 26	"	108,781	185,127 81	536 444,444 81			
April do	390,054 05	48,772 33	26,503 45	19,036 09	"	484,265 92	"	128,147	183,852 21	501 462,500 21			
May do	368,698 87	20,962 54	24,204 25	21,988 71	"	445,354 37	"	139,667	141,700 83	2,144 431,516 83			
June do	318,987 15	14,513 77	20,768 75	4,906 80	"	359,676 47	"	90,452	103,162 86	833 344,447 81			
July do	280,905 17	29,750 25	21,937 47	7,153 00	"	340,245 89	"	77,713	95,815 62	678 324,206 62			
Aug. do	245,537 12	32,876 81	22,394 53	7,173 49	"	308,500 95	"	86,283	53,565 16	669 290,519 16			
Sept do	235,738 63	73,647 65	22,108 18	13,216 69	"	345,211 15	"	81,523	93,948 55	639 326,140 55			

Specie payment suspended 20th May, 1837—not since resumed.

Bills discounted under head "notes and bills discounted," are domestic bills of exchange, or drafts drawn to anticipate proceeds of goods remitted to market and debts due, and are, in no case, to the knowledge of the bank, fictitious paper. The entire indebtedness of all the directors and officers of the bank is represented not to exceed \$600. The largest indebtedness to the bank from any one con- cern is \$16,000, being for acceptances for small drafts drawn in favor of different individuals and pay- able in New York. Not over six hundred dollars of demands due the bank are considered any way doubtful or bad. The bank represents that it has not any of its bills out in the hands of its directors, officers or others, for the purpose of exchange, that this they do not practice. Bank does not hold but 4 notes over three thousand dollars; one is \$3,500; two are of \$5,000 each; one of \$5,565. Dis- counted within the year past 1383 notes of \$500 and under; 229 between \$500 and \$1,000, last inclu- sive; 316 of \$5,000 and under to \$1,000; 10 of \$10,000 and under to \$5,000.

Funds in New York and Boston as per last state-  
ment are in banks of Troy  
Merchants bank 15,247 74  
Globe 14,833 28  
Suffolk 41,563 63  
2,000 00  
\$73,644 65

*Statements, from month to month, of the BANK OF ST. ALBANS, from Sept. 1836 to Sept. 1837, both inclusive.*

1836	Notes and bills discounted	Funds in New York Boston & Montreal.	Specie.	Foreign bills.	Real es- tate.	Cr. assets total.	Capital stock in. p'd in. bills of bank.	Due de- positors.	Due other banks.	Divi- d'nds due.	Profit & loss.	Dr. Total a- mounts of.			
Sept	204,189	96,21,932	61	6,055	05	11,290	95	1400	244,928	57	10,188	02	244,928	57	
Oct.	211,339	21,16,187	00	5,383	25	10,064	60	do	244,374	09	9,317	76	244,374	09	
Nov.	201,033	85	7,340	45	6,581	35	6,903	81	do	223,259	46	10,247	69	223,259	46
Dec.	190,153	41	20,953	19	8,863	75	9,308	57	do	231,278	92	10,634	18	231,278	92
Jan. 1837	170,019	62	21,067	60	10,458	28	7,838	98	do	210,784	48	11,364	83	210,784	48
Feb.	195,314	49	20,942	68	9,124	46	11,592	85	do	238,374	48	12,412	11	238,374	48
Mar.	190,846	15	19,594	52	9,860	14	7,737	98	do	229,438	79	13,042	21	229,438	79
April	184,289	64	22,197	43	13,439	44	12,616	03	do	233,942	54	14,097	28	233,942	54
May	179,559	46	19,856	51	3,077	94	8,335	69	do	212,429	65	11,092	10	212,429	65
June	153,820	43	33,140	68	3,239	99	3,317	42	do	194,918	52	11,902	09	194,918	52
July	148,466	78	27,551	40	2,792	85	8,335	60	do	183,546	63	12,152	41	188,546	63
Aug.	144,239	55	29,465	92	2,650	88	3,712	65	do	181,469	00	12,516	34	181,469	00
Sept.	146,976	58	21,037	92	1,368	66	4,783	75	do	173,566	91	12,611	27	173,566	91

Suspended specie payment 15th May, 1837—not yet resumed.

Of debts due bank \$400 is considered bad; the sum of \$8,000 is considered somewhat doubtful; residue regarded good. Their largest demands are one of \$16,000, two of \$2,000, one of \$7,000, one of \$6,000, one of \$5,500, one of \$3,000, one of \$4,500; residue of demands are notes of from \$100 to \$1,000. The whole present indebtedness of all the directors and officers of the bank is \$2,244. Has no bills in the hands of agents to exchange.

*Statement of the BANK OF MONTPELIER, showing its condition, at different periods, for the year past.*

1837.	Notes and due-bills discounted	Deposits in cities.	Specie.	Foreign bills.	Real estate.	Cr. total assets.	Capital p'd in.	Circulation of bills of bank.	Due depositors.	Dividends due.	Dr. total of.
Jan. 3.	100,079 36	49,517 22	6,751 43	8,201 12	2,612 35	167,251 36	50,000	108,000	5,423 48	56 00	163,479 48
April 3.	106,261 67	46,935 31	6,174 86	3,343 2	2,612 35	163,347 19	"	104,125 6	131 32	44 00	160,300 32
July 3.	103,113 13	20,430 13	9,066 45	4,077 2	2,612 35	139,239 06	"	71,613 4	076 00	38 00	135,727 00
Oct. 3.	105,161 22	13,040 22	8,524 11	1,091 2	2,612 35	130,428 90	"	60,116 4	363 38	16 00	124,495 38

Specie payment suspended 15th May, 1837—not yet resumed.

Not over one hundred dollars of demands due the bank are represented to be doubtful or bad. Of notes due the bank, 238 are one hundred dollars and under; 114 are five hundred and under to one hundred; 33 are one thousand and under to five hundred; 13 are two thousand and under to one thousand; 1 between two and four thousand, and demand due from state of \$5,000. Keeps its bills out in hands of exchange agents. Three of the officers of the bank owe it on an average of \$1,500 each, on usual security.

Deposits in the cities are in the Globe & Suffolk banks

## BANK OF CALEDONIA, 31st August, 1837.

	Cr.		Dr.
Bills discounted	52,138 07	Capital stock paid in	50,000 00
Due on book	28,979 85	Bills of bank in circulation	48,394 00
“ Suffolk bank	3,000 00	Due depositors	4,203 77
Orleans bank stock	10,000 00	Due Globe bank	2,273 87
Bank house	3,746 47		
Bills of other banks	1,547 00		
Specie	2,854 81	Difference is profit and loss	\$104,871 64
Due from agents for exchange	7,822 00		5,454 05
Expenses paid	237 49		
	<u>\$110,325 69</u>		<u>\$110,325 69</u>

Specie payment suspended 15th May, 1837—not since resumed.

But \$900 of amount due the bank is considered doubtful or bad. Amount due from the directors and officers of bank not to exceed \$5,600. Of notes discounted from 1st of Sept. 1836, to 1st Sept. 1837, 60 were under \$100; 96 of \$200 and under to \$100; 47 of \$300 and under to \$200; 43 of \$400 and under to \$300; 55 from \$400 to \$500; 30 from \$500 to \$1000; 31 from \$1000 to \$2000; 7 from \$2000 to \$2500; no note discounted over the last sum. Book accounts are principally secured by bonds. Board of directors meet once in six months to settle with cashier.

*Monthly statement of BANK OF ORANGE COUNTY, May 1837 to September 1837, inclusive.*

1837	Notes, due bills and accounts.	Funds deposited in Boston.	Specie.	Cr. Total of assets.	Capital p'd in.	Circulation of bills of bank.	Due depositors.	Dr. total amt of.	Profit and loss.
May	140,963 50	38,398 28	5,211 19	184,572 97	50,000	105,222	11,843 57	167,065 67	17,507 40
June	134,854 26	38,542 07	4,680 97	178,077 30	"	84,621	24,556 94	159,177 94	18,897 36
July	133,322 27	48,827 21	4,658 09	186,807 57	"	85,810	32,287 46	168,097 46	18,910 11
August	131,214 57	43,335 53	4,617 74	179,167 84	"	84,817	25,644 44	160,461 44	18,706 40
Sept.	134,091 79	29,970 77	4,553 15	168,615 71	"	80,713	19,403 08	150,116 08	18,499 63

Funds deposited in Boston, &c. per September statement:

In hands of Emerson & Lamb	21,141 77
Suffolk bank	3,000 00
"	5,829 00
"	\$29,970 77

Suspended specie payment 15th May, 1837—not resumed.  
Consider all demands good.

Book accounts have no additional security.

Due bills over \$800 have security as notes with endorsers.

Entire indebtedness of all the directors for bills discounted does not exceed \$8,000.

Banking house 2,000 00

The foregoing statements exhibit our banks to have in demands due them, specie, deposits in the cities, and bills of other banks called in the statements "foreign bills," an amount equal to all their liabilities, their capital stock included.

It will be further noted, that since the suspension of specie payment, they have been diminishing the amount of the sum due them, and the amount of their bills in circulation. It is apparent that our banks, constituted as they are, must necessarily, on going into operation, soon have their capital stock and most of their funds out on credit in the hands of the people, and any exertion to keep up an usual flow of circulation, must look, for the redemption of the bills emitted, to their funds then outstanding and due. In times of great depression, like the present, as it would be impossible, in any great degree to call in their dues, even though attempted by legal process, they necessarily lack the present means, convertible into funds, that will redeem their bills, unless issued under great limitation.

However promptly our banks may have assumed the obligation to redeem their bills in specie, they nevertheless, took on themselves what, under all circumstances, they could not perform, when at the same time their funds may be equal to all their responsibilities, as they at this time would seem to be. The direction of all our bank circulation is to the cities, where the bills will accumulate, and from whence demands for specie will principally be made, and where, when specie bears its present rate of premium, our bills would themselves bear a premium so long as by presenting them at our counters specie could be obtained cheaper than elsewhere. The debtors of our banks, called on for payment, in proportion as they fail to obtain the bills of their creditor, are compelled—if exacted to pay, either such bills or what will redeem them—to obtain the bills under such call for, and of specie redemption, would often be impossible, and to obtain the specie equally so. While specie bears its present rate of premium it would be impossible, in times of great embarrassments, for our banks both to continue their circulation and redeem in specie. Under the present large indebtedness of the country, it would be ruinous, now, to have the banks, at present our only public system of credit, at once to refuse all accommodation and relief to the people. The banks must have seen, that in any event, under such a state of things, the continuation of specie redemption could not be long sustained, and that to further continue their bills in circulation, must be under a refusal of such redemption. It is difficult to see how our banks could have avoided being swept along by causes which have every where else throughout the Union produced the same effects. As I have remarked, the banks have continued to redeem their bills in the cities, and keep them there at their usual value; and so far as they have been able to procure the means for such redemption, they have continued their bills in circulation, which would have entirely ceased, but for such suspension, unless circulated at a depreciated value.

For these considerations, believing in addition the banks to be as sound and responsible as at any former inspection, I have felt it my duty to take the course I have pursued in reference to certain duties imposed on me in case of a violation, by a bank, of the provisions of its charter.

In the cases of the banks of Burlington and Windsor, I am left at liberty to order a prosecution. In the case of all the others I am directed and it is made my duty to direct a prosecution to be instituted. How-

ever may be regarded that policy which has by law increased and facilitated the means of procuring credit, a community that has largely availed itself of such means and now finds itself deeply in debt, most emphatically calls for some system of credit of immediate availability to be extended to it, until the proceeds of more years of industry than those of the present can be realised to disembarass it. Such an order of prosecution on my part, would but increase our present difficulties, by further exciting the mutual fears both of the banks and of the people. The cases where I am at liberty to use my discretion, I refer to the consideration of the legislature; and as the other banks, where the order is imperative on me, are in all respects situated like the others, I have ventured to delay any order and to refer them to the same legislative action. In addition to this, I find in the charters of the banks under my consideration, no provisions for winding up and settling the concerns of a bank whose charter is vacated, as is provided for the banks under the safety fund act. Without such provision it would hardly be expected the supreme court, to whose discretion the question is referred, would, for the breach assigned, (the refusal to redeem in specie,) confiscate them.

At the same time the banks may be considered responsible, yet, in consequence of the want of confidence existing on the part of the community on account of the suspension of specie payment, and on the part of the banks from the fact of such suspension and knowledge of such public distrust, the banks instead of extending their accommodations as far as they otherwise would be able, have been rapidly diminishing their circulation.

Without public confidence in the solvency and just management of the banks, it is apparent they cannot extend, in times of embarrassment, the relief they otherwise could extend, and it is equally clear that the confidence of the community can be extended to them only through an assurance in their solvency and just management; which is to be obtained from a full and detailed statement, from time to time, of their condition, made public, and a belief on the part of that community, that it has on the bank all the checks, guards and securities, enabling it to keep and control them within the bounds intended, and for the object for which they were granted. When we regard banks as public agencies, through which credit may be obtained, that they with one hand receive to themselves the indebtedness of the people, and with the other on that security, extend their indebtedness to that same community, we see by looking into the solvency of the banks, we necessarily look back of them to the people indebted to them, and if their debtors are good and held by proper securities, the banks are consequently so; the public ultimately safe, provided it has sufficient provisions, by law, to so control them as to make their means applicable to their responsibilities.

Looking at both what tends to the causes of insolvency and to produce popular distrust, certain practices of the banks would seem to deserve consideration. First, their system of exchanging their bills for those of other banks. The practice is obnoxious to some of the banks, and to use their own language, is a "kind of piracy on each other." A bank situated within the reach of one or more banks, has sometimes to decide against discounting an application, from the consciousness that its bills will be circulated in the vicinity of some bank or exchange agent, and be picked up and immediately be sent to the cities for re-



demption. This forces the banks to seek opportunities to discount where their bills will be used out of our community, when otherwise, so far as required, they might have been had to facilitate our home and domestic transactions. Regarding as I have, in my inspection, that all bills out for exchange, are so far as the public are concerned, out in circulation, it is an indirect mode of increasing circulation and putting out bills on the slight security of individual indebtedness, generally charged on book; it has the effect to weaken public confidence both in the responsibility of the banks and in the just distribution of their accommodations, for it cannot be expected the community will always discriminate between bills thus taken out and taken in the ordinary mode of discounting; it furnishes the exchangers with money at their control, to use for daily and weekly purposes, without paying for its use what others pay, and without giving the same security. The object of this is to substitute their own bills in the hands of the people, where they may lay along for daily use, and remit the bills they procure in their stead to the cities, where they are received in the redemption of their own bills that may there accumulate.

From the statements, it will appear that some of the banks charge occasionally their discounts on book, at other times, take the individual note of the applicant. While one stands at their counter and is expected to bring his two endorsors, he sees another of no greater responsibility, receiving their bills on his mere order or private note. This is discriminating in its character, and while any given case of such accommodation may be satisfactorily explained to have been done under the proper usages of banking, the less informed in the details of banking will distrust such discrimination and attribute it to private friendship or a direct or more remote interest of the managers of the bank, which is thus consulted. A further distrust is created from the consideration that from such indirect and less secured accommodations, banks have and always are liable to suffer most, and like the insecure condition of bills out for exchange, are procuring causes of insolvency. In addition, as matters tending to the same result, is letting notes overrun indefinitely, and granting large and unusual discounts. A bank that should in no case let a bill go from their counter (unless to exchange for bills of banks out of the state, and that done in their bank,) without two endorsors, and in case of letting a note due overrun a certain time, as say one year, and in case of any one individual or concern running up an indebtedness to equal or exceed a certain amount, as say five thousand dollars, the directors, for the time when either occurred, added by law thereto their guaranty for their ultimate payment,—would attach to it a public confidence and patronage that would not falter under the present suspension of specie payment, and would no doubt sustain its credit in times more perilous, if possible, than the present. This additional security, when given, would be voluntary, and in effect, might go far to furnish all the security that would be sought for in having private property of stockholders holden. This responsibility directors would seldom care to assume. The effect of the measure would be highly salutary in moderating and confining the wants of the applicant for bank favors within the bounds of his means to meet his yearly responsibilities, as he would not often count on the directors extending an indulgence on their own risk. And as the banks would more seldom grant large discounts, their means would be more abundant to supply the more numerous and ordinary amounts that may be applied for. This

measure might perhaps limit the opportunities of some of our banks of doing a sufficiently lucrative business. The business of the country would soon designate the localities where banks would be required, and those that could not afford the expenses of banking, for the amount of their transactions, would take back their capital and use it in other pursuits. The bank at Danville, to do a saving business, put ten thousand dollars of its funds into the bank of Orleans; and after granting all ordinary applications had means still unemployed, which induced them to extend to a few individuals large accommodations. This single fact illustrates that banking may easily be extended beyond the ordinary wants of the community.

It may deserve consideration, whether the public, so long as it holds out by its banks, inducements and facilities for extending credit, should not throw round those who are inclined to use such facilities, such guards and checks, as while they tend to the solvency of the banks, restrain them also from that venturous use of bank credit, which for the want of sufficient restraints, has been largely resorted to and has proved, in the present revulsion, in many instances, of an unfortunate result. An individual whose discounts are easily drawn out on his individual note or charged in account, driven along by the excitement of speculation, almost unconsciously multiplies his indebtedness till he finds that nothing but a successful venture can save him from bankruptcy; when, had he been otherwise compelled to furnish his substantial endorsors, he would have been thrown within the influence of the more sober views of others and would have been restrained within the bounds that the suggestions of friendship and the prudence or fears of endorsors would have prescribed.

In addition, a measure of importance to the public, and under the present distrust, almost indispensable, would be to have the banks make, at least, a statement monthly, under oath, of their standing and condition, to such officer as should be designated, and in detail as such officer should from time to time direct, and have these statements occasionally published through the year; and with these statements accompanying, let the annual inspection be made. Have the statements, among other things, show the whole amount of discounts applied for, during the month; the whole amount discounted; and of the amount discounted what part was taken by the directors and officers, or by those known to be connected with any of them in business; and the amount taken by other of the stockholders; in addition, give the whole sum taken in any other way than on ordinary discounted paper, when not entered with other discounts on their discount book; and of this last named item give the several amounts and state by whom received. Let the board of directors, under whose supervision all the transactions of the banks weekly pass, or ought to pass, as they will often have intimate knowledge of the individuals really interested in obtaining loans, add their oath to that of the cashier. As the banks are created for the benefit of the whole community, it is but reasonable for that community to see, from time to time, how far the banks distribute their accommodations over the public, indiscriminately, and how far those accommodations are monopolised by the managers of the banks. It may further do an act of justice to the banks, enabling them to meet a prevailing impression, that in difficult times when they cannot discount all applications, the directors, officers, and those in whose business they are concerned, obtain usual discounts, while others, however necessitous, are refused, especially if engaged in busi-

ness near rival establishments or in pursuits in which the favored class are engaged. For if it should turn out that the whole bank accommodations of any given period, when there were other applications, were all or principally all granted to the managers of the banks; to such extent, the banks would be turned aside from the object for which they were granted, and practically become privileges granted by law to individuals for private use. If there should be but few or no applications for bank discounts, save those made by those owning and governing the bank, it would be conclusive of the inutility of such bank in a public point of view.

The present provisions by law, in case a bank violates its charter, are at best, slow in their operations; subject, when an investigation is instituted, to be continued from sitting to sitting, from term to term, before a final order or adjudication; in the mean time the evil complained of goes on increasing. To put the staff on the other side, in the hands of the public, should a public officer, designated by law, discover a bank to be wide out of its chartered limits, or from bad debts or other causes, to be insolvent, a further issuing of bills in such instances should at once cease, and it would be more summary for such officer at once to direct such suspension, leaving it for the bank immediately to get an injunction on such order, if improperly or unnecessarily imposed; and in case no injunction is granted, the officer imposing it will carry the whole matter before the supreme court for a hearing, or in the mean time he might be empowered to remove it at his discretion.

I omitted to note in its proper place a practice of one bank, at least, of allowing, by its by-laws, stockholders to draw on to a certain extent on the credit of their stock. It may be questioned whether they should not furnish the ordinary security. The capital stock should be disencumbered of any private pledges. This practice might let out all or nearly all the capital stock on the mere security of the individual stockholders. This, if general, would destroy all confidence in the security this fund was intended to give; if the usual security was given, there would be no necessity of this special pledge, and the capital stock would remain a permanent and available fund, pledged alike for all the liabilities of the bank.

Which is respectfully submitted,

S. A. WEBBER, Bank Inspector.

Rochester, 13th October, 1837.

*To the House of Representatives now in session :*

The committee on banks, to whom the within [foregoing] report was referred, report as herewith returned, and ask to be discharged from the further consideration thereof.

S. FULLAM Jr., for committee.

ACCOUNT OF SUPERINTENDENT OF THE STATE HOUSE,  
from November 1, 1836, to October 15, 1837,—presented for auditing.

Names.	Amount of Footings. credit.	Amount paid in materials, balance to new account, &c.
Harvey Ainsworth	403 75	
C. W. Bancroft	1181 83	
Carlos Bancroft	274 27	
Bancroft & Riker	78 21	
Josiah Brown	470 60	
Francis Barker	17 15	†
Joel Colburn	4 80	
John Barker	14 39	†
Proctor & Felt	16 98—2461 98	
John Gilbert jr.	23 00	
Leary Con	122 91	
Morris Conway	6 77	†
Harry McEllery	3 75	
Ira Slayton	32 43	
Willis Keith	10 80	
John S. Cummings	226 88	
Oliver Clark	382 80 . . . . .	{ 50 100 brick 29 50 112 perch stone
James Dawson	14 39—823 73†	
Lorenzo Johnson	32 08	†
Asa Phelps	17 14	†
Plynn Woodward	14 00	†
Walter Peck	2 75	†
Addison Fowler	423 19	
Leander French	178 91	
Luther Farrar	239 48	
Charles Gravlin	147 63—1055 18	
Silas Ham	125 31	
J. & C. Spalding	95 67	
William A. Kelly	143 88	
Thomas Lyle	164 60	
Orrin Pitkin	16 91	
Amasa Lyman	15 70	†
Silas F. Jones	31 25	
Joel Manchester	141 48	
Ozee Manchester	459 44	
Chester Marshal	200 86—1395 10	
Robert McDonald	8 08	
Phineas Benjamin	9 32	†
Nathan Parker	144 75	
Sidney Patterson	46 70	
Francis Rayhue	1 28	†
Michael King	8 93	†
Peter Gravlin	159 28	
Stephen Pierce	373 81	
Hugh Roach	123 56—880 71	
	\$6616 70	\$30 00

Names.	Amount of Footings. credit.	Amount paid in materials, balance to new account, &c.
John T. Rood	172 67	3 75 lot old lumber
Solomon Shoulters	369 14	
A. A. Sweet	368 00	
Silver, Pierce & Co.	108 25	
David Corse	142 32	
Miss Staples	1 50	†
Orvis Silley	151 32	
A. B. Young, Architect	1200 00—251 320†	
H. N. Taplin	68 97	44 18
Lebbeus Egerton	4 73	
Lyman Briggs, balance	93 63	
Peter Gravlin 2d	11 05	†
Zenas Wood	294 60	2 39 glass
Day, Newell & Day	42 00	
Adams & Hammond	6 05	
Jacob Davis jr.	11 25—532 28	
Homer, Gray & Co.	9 00	
Holmes, Homer & Co.	76 49	
Kittridge & Blake	72 00	
James Durgin	69 28	
Wm. Greenough	55 80	
Ellie Deffo	2 40	†
Jones, Lows & Ball	566 88	
Luther Ayers	161 55—1013 40†	
Dexter Mears	116 88	†
L. B. Richardson	29 48	†
Frederick Taplin	3 54	†
Levi Divol	1 68	†
George Reed	351 96	
J. C. Shepley	164 40	
Samuel G. Richardson	116 52—784 46	
Andrew Campbell	4 68	†
Oran Wheaton	1121 49	2 00
Calvin K. Collins	13 50	
Bates Gurno	31 40	
Alfred Nye	1 25	
Peter Rever	33 77	
Joel Cummings	3 38—1209 47	
Marcus Maxam	10 86	†
Willard Sanders	4 00	
Paul Rever	18 48	†
Orson Foster	86 65	error 9 cents
A. Wainwright	195 52	10 67
A. Wainwright & Co.	10 17	
Benjamin Chatterton	22 19—347 87	
	\$6400 68	\$62 99

Names.	Amount of Footings. credit.	Amount paid in materials, balance to new account, &c.
William Storrs	1 75	
Neven Gourley	1 75	
Chester Huckings	331 16	
John Wilson	292 30	
Philip Ruxton	110 78	
Daniel Cockran	1 61—739 35½	
Francis Gravlin	48 51	
G. W. Hill	3 10	
Francis Lermo	70 77	
S. B. Flint	74 87	1 75 carpet stock
Orrin Reed	34 86	
James McAuley	68 43	
Chauncey Goodrich	5 13—305 67	
Andrew Miolo	62 90	
Lathrop Lewis	3 50	
John Connally	41 60	
Wooster Sprague	28 13	13 00
Wm. J. Hastings	352 00	
Joseph Payeir	8 50—496 63½	
— Martin	1 00	1 00 use rigging
Eustace Paro	15 40	
A. J. Abbott	284 17	
Rufus Campbell	37 41	
Abel Jorden	17 42	
John Colby	16 12	
Richard Bullock	7 31	
C. H. Washburn	10 50—389 33	
David Lewis	276 62	
G. W. Barker	33 44	
E. P. Walton & Son	7 35	
Wm. T. Burnham	50	
A. S. Wing	1 00	
James Howland	306 23	
J. C. Wilson	12 40	
Lamb, Palmer & Co.	13 15—650 69	
C. & L. L. Lamb	13 58	
Jehial Gilman	55 67	
Mahlon Cottrill	2 50	
Charles Lyman	34 09	
Mary M. Dalton	18 00	
Baldwin & Scott	78 15	
D. Baldwin	29 63	1 65
Sherman Hubbard	9 65	
Baylies, Storrs & Co.	188 39	
David Gould jr.	46 60—476 26	
	\$3057 93	\$17 40

Names.	Amount of credit.	Footings.	Amount paid in materials, balance to new account, &c.
Ira Cummings	1 00		
Osman Fuller	194 52		
Sumner Wilde	65 40		
S. B. Clark	5 46		
Thomas Reed jr.	104 07	.....	{ 3 00 old lumber
Josiah Hubbard	3 00		{ 2 00 brick
Erastus Hubbard	3 25		
Samuel C. Crafts	26 00	—402 70	
Ira Day	2 28		
Abram Underhill	8 17		
Wm. A. Nichols	4 98		error 3 cents
Smith & Hacket	106 68		
Seth Kimball	11 00		
C. A. Pomeroy	27 50		
Nathan Downer	27 25		
Nathaniel Sherman	156 85		
Samuel S. Kelton	557 08	—901 79	10 25 bal. carried to 6 34 new acc't.
Milton Brown	28 62		
I. Riker	21 00		
M. Shelden & Sons	11 34		
Jesse Delano	40 31		
John A. Moore	518 00		
Phelps, Dodge & Co.	41 51		
Benjamin Lampson	26 67		
Ballard & Prince	174 22		
Ball, Chamberlain & Co.	58 30	—919 97	
Harrison Bancroft	68 81		
Fairbanks & Loring	9 00		
Gabriel Campbell	89 63		
Pratt & King	33 15		
A. G. Stone	89 39		
Edwin Philips	198 90		
Andrew McGaffa	170 99		
Bayley & Hatch	54 00		
John Davenport	7 02	—720 89	
Jewett, Howes & Co.	99 39		3 88
C. W. & J. A. Conant	2343 11		593 50 Welder's work, and bal. of ac. carried forw'd
Elisha Reynolds	229 28		
Joseph Leverly	15 04		
John Parker	2 50	†	
John Fenton	18 10		
Chester Leonard	104 23	†	
Phineas Spencer	88 38		
Ira Batchelder	157 47		
Merrick Ainsworth	128 22	—3185 72	
	\$613 07		\$618 97

Names.	Amount of credit.	Footings.	Amount paid in materials, balance to new account, &c.
Joseph Wood	117 96		
J. P. Robinson	94 40	†	
Thomas Burnham	120 64		
Lucius Harris	72 39	†	
Nathaniel Lamberton jr.	159 41		
Hiram Cole	129 01		
Wm. Ainsworth	142 82		
Harrison Bancroft	10 89		
Benjamin Perry	111 37	—958 89	
Jesse Perry	131 93		
Samuel Benjamin	137 12		
Justus Burnham	137 17		
Franklin Mead	138 81		
J. S. Rice	221 83		
P. Buzro	88 85		
R. Woodward	130 73		
Geo. Richardson	133 99		
D. H. Young	143 07		
Willard Southwick	123 76		
Wm. A. Waller	124 74	—1512 00	
B. Griffin	130 50		
A. Laroo	91 46		
R. Martin	109 39		
E. McMurphy	87 80		
C. St. George	94 57		
P. St. George	89 04		
J. St. George	87 13		
A. Duke	109 22		
Wm. Tasker	137 40		
J. Campbell	122 44	†	
F. Fly	99 24	—1158 49	
E. Hewett	23 00		
J. Vermot	1 54	†	
J. Buzzel	109 96		
L. Emerson	3 00		
L. Portague	6 93	†	
A. Wheeler	62 50		
C. Bliss	4 21		
J. & J. H. Peck & Co.	320 88		
Wm. A. Sutton	12 50		
S. Marshal	212 63		12 62
F. H. Isham	10 58		
S. A. Smith	110 00		
S. C. Alexander	16 50		
G. N. Wakefield	12 65	—906 88	
		\$4536 26	\$12 62



## APPENDIX.

Names.	Amount of Footings. credit.	Amount paid in materials, balance to new account, &c.
Follett & Bradleys	18 26	
H. Scarle	9 62	
A. Young	35 77	
R. Clark	85 12	
James Tryon	45 00	
J. Y. Dewey	1 00	
E. Scribner jr.	19 80	
E. S. Camp	3 89	
H. Ward jr.	1 12—219 58	
I. Gray 2d	13 00	
S. Goss	3 75	
Geo. Robinson	13 13	
E. Hale	50	
S. Burbank	102 56	
J. Kingsley	181 25	
C. Badger	9 30	
Emerson & Russell	10 34	
W. W. Cadwell	4 14	
Wm. Howes	20 72	
C. Haynes	252 70—611 39	
A. B. Young, Supt. Cr.		
Stage Fare	4 00	†
Postage	1 50	†
Stationary, three items	3 00	†
Expenses to N. Y. and back	54 04	†
Paid O. Clark, old account	63 38	†
“ W. Wentworth	1 26	
Expenses to Brandon	17 25	†
Paid A. Aldrich, old acc't	1 00	
“ Emerson & Lamb	9 45	
“ Hubbard & Pitkin	72	
“ Baldwin & Scott	8 40	
“ Timber, Errands, 3 items	1 38	†
Paid freight	1 00	†
“ Premium on change	5 00	†
Expenses to N. Y., Boston, &c.	52 70	†
Paid freight & Shives, 2 ch.	1 88	†
“ Team, &c. at quarry	1 56	†
“ Errand & 2 old acc't. 3 items	3 88—231 40	
	\$1062 37	
Amount brought forward	4536 26	12 62
“ “ “	6131 07	618 97
“ “ “	3057 93	17 40
“ “ “	6400 68	62 99
“ “ “	6616 70	30 00
	\$27805 01	\$741 98

## SUPERINTENDENT OF STATE HOUSE

Dr.

To received of sundry persons, viz :

1837,		
Mar. 29,	Of Thomas Lyle, cash	\$1 00
Aug. 30,	" Charles Paine "	37 70
Sept. 13,	" Samuel S. Kelton, cash	5 18
Oct. 10,	" Hezekiah Ward jr. "	2 25
" "	" Sundry Persons	4 34

To received of Treasurer to Oct. 15, 1837.

1836,		
Nov. 18,	Cash	500 00
" 23,	A draft on bank of Montpelier	873 75
" "	" " " Farmers and Mechanics Bank	626 25
1837,		
Jan. 4,	Cash	500 00
" 7,	Cash	50 00
" 12,	Cash	450 00
" 28,	Cash	1000 00
Feb. 20,	Cash	500 00
Mar. 2,	Cash	750 00
" 21,	Cash	400 00
Apr. 3,	A draft on Bank of Montpelier	1350 00
May 1,	" " " " "	1000 00
June 2,	" " " " "	1000 00
" 12,	" " " " "	1000 00
" 19,	" " " " "	250 00
" 26,	" " and cash	2000 00
July 8,	" " on Bank of Montpelier	2500 00
" "	Receipt of tax of town of Brandon for 1836	430 17
Aug. 2,	A draft on Bank of Montpelier	2500 00
" 7,	" " " " Manchester	825 39
" "	" " " " Bennington	174 61
Sept. 2,	" " " " Montpelier	2000 00
" 15,	" " " " "	1000 00
" 23,	" " " Farmers Bank at Orwell	319 44
" "	" " " Bank of Woodstock	2132 60
Oct. 9,	Cash	1000 00

\$25182 68

To balances of account and amount of Dr. in materials brought forward

741 98

Amount of Dr.  
Add for error

\$25924 66

23

Cr.

\$25924 89

By amount of accounts brought forward

\$27805 01

Cc

*To the General Assembly now sitting :*

The undersigned having been appointed by the concurrent resolution of both Houses, of the 20th instant, to settle and adjust the accounts of the superintendent of the state house, would respectfully report, that in pursuance of his said appointment, he commenced the examination of the accounts of the said superintendent, on the 23d instant, and continued the same to this 26th day of October. A copy of the account examined is appended to this report, consisting of 263 items of charge against the state, amounting to the sum of \$27,805 01 ; against which said account the superintendent has charged himself with sundry accounts for materials sold, in part pay for accounts for labor and services done on the house, and balances for accounts now due to C. W. & J. A. Couant and N. Sherman, to the amount of \$741 98, & for cash & drafts received of treasurer of the state to the amount of \$25,182 68, including \$430 17 received as tax on the town of Brandon, for the year 1836. The 211 items of charge marked with the character (\*) [in the printed copy the stars are omitted,] were proved by receipts. The 15 items marked thus (†) were proved by oath of Superintendent only. The 23 items marked thus (‡) were proved by check, and the 9 items marked thus (||) were proved by check and receipt. The whole account thus proved, shows the amount of the superintendent's claim for the year ending the 15th of October instant to be \$27,805 01  
 From which deduct 25,924 89

The amount received, and the balance  
 remains due the superintendent.

\$1,880 12

All which is respectfully submitted by

DAVID PIERCE, Auditor of accounts against the state.

# GENERAL LIST

OF

VERMONT—1887.

## BENNINGTON COUNTY.

	<i>Amount of grand list including two folds.</i>	<i>Amount of grand list, half the two folds &amp;c. deduc- ted for state tax.</i>	REMARKS.
	Dolls. cts.	Dolls. cts.	
Arlington	13640	13051	
Bennington	39597 98	38745 98	
Dorset	12553 61	11680 61	
Landgrove	2187 83	2075 83	
Manchester	19119 83	18133 83	
Peru	2733 28	2400 28	
Pownal	11811 79	10952 79	
Readsboro	3376 96	2526 96	
Rupert	15096 84	14704 84	
Sandgate	8172 43	7690 53	
Searsburgh			Not represented, and list less than \$2000.
Shaftsbury	20636 88	19886 88	
Stamford	3240 81	2800 81	
Sunderland	4091 48	3769 48	
Winhall	2790 97	2390 97	
Woodford	1578 60	1578 60	
Glastenbury	275 21	275 21	
Total	160904 60	152664 60	

## GENERAL LIST—continued.

WINDHAM COUNTY.	<i>Amount of grand list including two folds.</i>		<i>Amount of List, half the twofold, &amp;c. deducted for state tax.</i>		REMARKS.
	Dolls.	cts.	Dolls.	cts.	
Acton	1066	49	1056	49	
Athens	3098	84	2798	84	
Brattleboro	26332	75	25142	18	
Brookline	2572	09	2342	09	
Dover	6505	44	5786	44	
Dummerston	10089	72	9269	72	
Grafton	11118	83	9825	83	
Guilford	12781	64	11806	64	
Halifax	10545	64	9173	39	
Jamaica	8486	46	7206	46	
Londonderry	6166	33	4975	33	
Marlboro	8309	85	7377	85	
Newfane	11767	69	11057	69	
Putney	12450	75	11200	75	
Rockingham	24762	02	23097	02	
Somerset	1213	0	1213	01	
Stratton	1388	91	1388	91	
Townshend	11304	85	10394	85	
Vernon	5714	94	5271	94	
Wardsboro	8669	24	7619	24	
Westminster	15639	42	14306	42	
Whitingham	9920	15	9152	90	
Wilmington	10456	27	9360	27	
Windham	5285	19	4605	19	
Total	225637	52	205339	45	

## GENERAL LIST—continued.

RUTLAND COUNTY.	<i>Amount of grand list including two folds.</i>	<i>Amount of list, half the twofolds &amp;c. deducted for state tax.</i>	REMARKS.
	Dolls. cts	Dolls. cts	
Benson	13850 31	13217 31	
Brandon	18385 14	17575 14	
Castleton	18104 12	17356 12	
Chittenden	4196 98	3786 98	
Clarendon	14396 15	13666 15	
Danby	16130 63	15020 63	
Fair Haven	5597 59	5224 59	
Hubbardton	6390 74	5770 74	
Ira	4029 75	3589 75	
Mendon	1977 29	1507 29	
Middleton	8757 80	8217 80	
Mount Holly	8930 34	7950 34	
Mount Tabor	1303 87	1283 87	
Orwell	24174 98	23562 98	
Pawlet	18700 12	17481 12	
Pittsfield	3445 65	3126 65	
Pittsford	21036 86	20181 86	
Poultney	21160 06	20297 06	
Rutland	29875 20	27663 95	
Sherburne	1975 05	1725 05	
Shrewsbury	10386 53	9616 53	
Sudbury	7002 05	6366 05	
Tinmouth	7998 79	7459 79	
Wallingford	14689 95	14270 95	
Wells	5912	5231	
West Haven	5435 92	5055 92	
Total	293843 87	276205 62	

## GENERAL LIST—continued.

WINDSOR COUNTY.	<i>Amount of grand list including two folds.</i>	<i>Amount of list, half the twofolds &amp;c. deducted for state tax.</i>	REMARKS.
	Dolls. cts	Dolls. cts	
Andover	5546	4796	
Barnard	12836 52	11616 52	
Baltimore	1724 20	1574 20	
Bethel	14859 70	13779 70	
Bridgewater	10791 54	9941 54	
Cavendish	14972 27	13853 27	
Chester	24420 61	22938 61	
Hartland	22331 62	21188 62	
Hartford	21496 40	20323 40	
Ludlow	12372 91	11377 91	
Norwich	19193 82	17863 82	
Plymouth	7771 01	6381 01	
Pomfret	14019 44	12633 94	
Reading	13744 78	12714 78	
Rochester	9702 91	9121 91	
Royalton	15741 63	14521 63	
Sharon	11253 95	10193 95	
Springfield	26666 39	24627 39	
Stockbridge	10125 94	9015 94	
Weathersfield	20848 23	19846 23	
Weston	6032 16	5163 16	
Windsor	33258 70	31073 45	
Woodstock	36360 49	34880 49	
Total	366071 22	339427 47	

## GENERAL LIST—continued.

ADDISON COUNTY.	<i>Amount of grand list, including the two folds.</i>	<i>Amount of grand list, half of two folds &amp;c. deduc- ted for state tax.</i>	REMARKS.
	Dolls. cts	Dolls. cts	
Addison	17249 37	16659 37	
Bridport	18177 08	17605 08	
Bristol	7644 91	6342 91	
Cornwall	12940 81	12201 81	
Ferrisburgh	17592 64	17412 64	
Goshen	2669 23	2669 23	
Granville	2402 03	2002 03	
Hancock	2804 28	2428 28	
Leicester	5180 64	4870 64	
Lincoln	3447 19	2930 69	
Middlebury	25626 18	25056 18	
Monkton	9657 67	9134 67	
New Haven	16363 04	15753 04	
Panton	7189 94	6839 94	
Ripton	1516 98	1516 98	
Salisbury	7763 26	7383 26	
Shoreham	22446 80	21306 80	
Starksboro	6376 52	5366 52	
Vergennes	12352 85	12082 85	
Waltham	3528 49	3508 49	
Weybridge	7015 02	6542 02	
Whiting	7281 91	6951 91	
Total	217226 84	206565 34	



## GENERAL LIST—continued.

ORANGE COUNTY.	<i>Amount of grand list, including the two folds.</i>	<i>Amount of grand list, half of two folds &amp;c. deduc- ted for state tax.</i>	REMARKS.
	Dolls. cts	Dolls. cts	
Bradford	14779 98	13705 98	
Braintree	8578 38	7212 38	
Brookfield	13265 40	11961 40	
Chelsea	17481 78	15962 78	
Corinth	17944 25	16221 25	
Fairlee	4106 98	3566 98	
Newbury	22383 48	20255 48	
Orange	5668 04	4608 04	
Randolph	24868 97	23357 97	
Strafford	15212 20	13643 20	
Thetford	16568 91	14943 91	
Topsham	10091 23	8763 23	
Tunbridge	16635 66	14938 76	
Vershire	9578 68	8689 68	
Washington	9719 17	8896 17	
West Fairlee	6235	5602	
Williamstown	14055 74	12962 74	
Total	227173 85	205291 95	

## GENERAL LIST—continued.

CHITTENDEN COUNTY.	<i>Amount of grand list including two folds.</i>	<i>Amount of List, half the two folds &amp;c. deducted for state tax.</i>	REMARKS.
	Dolls. cts	Dolls. cts	
Bolton	2078 97	1678 97	
Burlington	46680	45500	
Charlotte	15471 28	14721 28	
Colchester	9759 27	9179 27	
Essex	10880 85	10143 85	
Hinesburgh	14171 07	13061 07	
Huntington	5010 60	4370 60	
Jericho	11289 58	11263 58	
Milton	16148 48	15346 48	
Richmond	7541 22	6936 22	
Shelburn	10117 27	9997 27	
St. George	972 79	952 79	
Underhill	4776 33	4776 33	
Westford	7925 55	7016 55	
Williston	15526 63	15194 63	
Total	178349 89	170138 89	

## GENERAL LIST—continued.

WASHINGTON COUNTY	<i>Amount of grand list, including the two folds.</i>	<i>Amount of grand list, half of two folds &amp;c. deduc- ted for state tax.</i>	REMARKS.
	Dolls. cts	Dolls. cts	
Barre	15296 85	13845 85	
Berlin	12952 17	11803 17	
Calais	10134 61	8677 61	
Duxbury	4037 16	3494 16	
Fayston	2536 88	1947 88	
Marshfield	7151 33	6526 33	
Middlesex	8806 49	7752 49	
Montpelier	30643 51	28405 01	
Moretown	6004 70	5242 70	
Northfield	11309 55	10356 55	
Plainfield	6116 98	5377 98	
Roxbury	4465 25	3655 25	
Waitsfield	7930 64	7047 64	
Warren	5165 07	4315 07	
Waterbury	12310 79	10830 79	
Worcester	2333 92	2333 92	
Woodbury	3380 97	2630 97	
Total	150576 87	134243 37	

## GENERAL LIST—continued,

CALEDONIA COUNTY.	<i>Amount of grand list including two folds.</i>	<i>Amount of grand list, half the two folds &amp;c. deduc- ted for state tax.</i>	REMARKS.
	Dolls. cts	Dolls. cts.	
Barnet	16189 61	15189 61	
Burke	7751 10	6771 10	
Cabot	9042 18	8329 18	
Danville	23089 48	21975 48	
Groton	4868 86	4188 86	
Hardwick	10151 78	9195 78	
Kirby	3316 61	2906 61	
Lyndon	13476 85	12406 85	
Newark	1493 34	1493 34	
Peacham	15091 17	14480 17	
Ryegate	8916 77	8167 77	
Sheffield	4242 98	4242 98	
St. Johnsbury	16082 50	15082 50	
Sutton	7040 61	6230 61	
Walden	5970 02	5280 02	
Waterford	11344 72	10348 72	
Wheelock	3957 60	3037 60	
<b>Total</b>	<b>162026 18</b>	<b>148627 18</b>	

## GENERAL LIST—continued.

FRANKLIN COUNTY.	Amount of grand list including the two folds.	Amount of grand list, half of two folds &c. deduc- ted for state tax.	REMARKS.
	Dolls. cts	Dolls. cts	
Bakersfield	6587 97	6047 97	
Berkshire	7283 88	6463 88	
Enosburgh	8762 56	7582 56	
Fairfax	9627 31	8841 31	
Fairfield	9968 54	9968 54	
Fletcher	5059 02	4337 02	
Franklin	5517 06	5017 06	
Georgia	12166 67	11076 67	
Highgate	10543 16	10543 16	
Montgomery	2963 71	2583 71	
Richford	3166 83	2436 83	
Sheldon	8557 22	8503 34	
St. Albans	17606 33	15944 33	
Swanton	13157 45	12517 45	
Total	120967 71	111863 83	

## GENERAL LIST—continued.

ORLEANS COUNTY.	<i>Amount of grand list including two folds.</i>	<i>Amount of list, half the two folds &amp;c. deducted for state tax.</i>	REMARKS.
	Dolls. cts	Dolls. cts	
Albany	4147 84	3467 84	
Barton	5487 83	5057 83	
Brownington	2622 25	2392 25	
Charleston	3018 40	2468 40	
Coventry	4518 41	4018 41	
Craftsbury	6853 14	6053 14	
Derby	8223 48	7703 48	
Glover	5752 11	4882 11	
Greensboro'	5031 35	4311 35	
Holland	1955 01	1535 01	
Irasburgh	6850 79	6390 79	
Jay	989 66	859 66	
Lowell	1801 80	1421 80	
Morgan	2156 11	1876 11	
Newport	1950 03	1460 03	
Salem	1128 82	978 82	
Troy	4198 19	3788 19	
Westfield	1888 04	1628 04	
Westmore	283 55	283 55	
Total			
Total	68856 81	60576 81	

## GENERAL LIST—continued.

LAMOILLE COUNTY.	<i>Amount of grand list including two folds.</i>	<i>Amount of list, half the nofolds &amp;c. deducted for state tax.</i>	REMARKS.
	Dolls. cts	Dolls. cts	
Belvidere	844 61	674 61	
Cambridge	11111 61	9849 61	
Eden	3237 56	2347 56	
Elmore	2430 89	2040 89	
Hydepark	5098 33	4518 33	
Johnson	7244 26	6318 26	
Mansfield	882 54	882 54	
Morristown	9192 97	8422 97	
Sterling	980 53	980 53	
Stow	10567 28	9477 28	
Waterville	2944 54	2534 54	
Wolcott	3234 40	2774 40	
Total	57769 52	50821 52	

## GENERAL LIST—continued.

ESSEX COUNTY.	Amount of grand list, including the two folds.	Amount of grand list, half of two folds &c. deduc- ted for state tax.	REMARKS.
	Dolls. cts	Dolls. cts	
Bloomfield	711 02	601 02	{ 30 militia polls deducted, pur- suant to a joint resolution of the legislature.
Brighton	401 32	401 32	
Brunswick	721 06	721 06	
Canaan	2224 93	1874 93	
Concord	6235 80	5582 80	
Granby	370 11	370 11	
Guildhall	4289 01	3989 01	
Lemington	864 26	754 26	
Lunenburg	5734 03	4544 03	
Maidstone	1598 48	1448 48	Not organized.
Victory			
Total	23150 02	20287 02	



## GENERAL LIST—continued.

GRAND ISLE COUNTY.	Amount of grand list, including the two folds.	Amount of grand list, half of two folds &c. deduc- ted for state tax.	REMARKS.
	Dolls. cts	Dolls. cts	
Alburgh	7662 56	7552 56	
Grand Isle	6103 23	5836 23	
Isle LaMott	2099 48	1869 48	
North Hero	4172 02	3787 02	
South Hero	8281 89	7879 89	
Total	28319 18	26925 18	

## GENERAL LIST of Vermont for 1837 in the AGGREGATE.

Counties.	<i>Polls at 10 dollars is</i>		<i>Acres of Land appraised at \$</i>		<i>Assessed at 6 per cent. is</i>
	No.	Dolls.	No.	Dolls. cts	Dolls. cts
Bennington	2384	23840	106034	980429 37	59365 70
Windham	4494	44940	127517½	935357 41	56121 44
Rutland	4189	41890	176442½	1677664 76	100650 88
Windsor	6168	61680	198815	1777029 02	106621 78
Addison	2973	29730	123866½	1262935 98	75776 15
Orange	4263	42630	126599	1015091 43	61085 48
Chittenden	2606	26060	83229	782599 60	46955 96
Washington	3270	32700	65923½	557287 08	33437 21
Caledonia	3316	33160	90969	556004 51	33360 23
Orleans	1890	18900	43864	186537 51	11192 23
Franklin	2700	27000	56326½	428156 68	25689 40
Lamoille	1485	14850	33794	185636 93	11138 24
Essex	605	6050	17422	68072 41	4084 31
Grand Isle	409	4090	18457½	169759 17	10185 55
Total	40752	407520	1269260	10594561 96	635673 56

## GENERAL LIST--

<i>Coun- ties.</i>	<i>Houses &amp; lots appartenent app. at \$</i>			<i>Mills, stores, distilleries, &amp;c. apprais- ed at \$</i>		
	<i>No.</i>	<i>Dolls. cts</i>	<i>Dolls. cts</i>	<i>No.</i>	<i>Dolls. cts</i>	<i>Dolls. cts</i>
Ben.	3091	46748018	1869920	270	8614400	516864
Win'm.	4034	82612050	3304482	382	10192100	611526
Rutl'nd	6054	100420356	4016814	440	13435800	806148
Win'sor	6341	138093717	5523746	479	23339500	1400368
Addis'n	4305	75089600	3003584	266	10902570	654154
Orange	4150	81926826	3277073	461	10068853	604131
Chitt'n	2527	65465956	2618638	220	12533218	751994
Wash.	2920	60240019	2409600	244	8738331	524297
Caledo.	3557	60084798	2403395	211	6630500	397828
Orleans	1833	24267400	970695	144	2467217	143033
Frank.	2804	46102200	1844088	196	6589800	395388
Lamoile	1512	19840160	793606	96	1702200	102132
Essex	490	5245503	209817	44	728063	43683
Gr. Isle	424	9944200	397768	17	457000	27420
Total	44042	816080803	32643226	3470	116399552	6983966

## AGGREGATE—continued,

<i>Oxen at two dollars is</i>		<i>Cows and other catile of three years old, at \$1 25, is</i>			<i>Cattle of two years old at 75 cents is</i>			<i>Horses and mules, of three years old and upwards, valued at \$2.5 or under, at \$1 is</i>	
<i>No.</i>	<i>Dolls.</i>	<i>No.</i>	<i>Dolls.</i>	<i>cts</i>	<i>No.</i>	<i>Dolls.</i>	<i>cts</i>	<i>No.</i>	<i>Dols</i>
1173	2346	7154	8942	50	1748	1311	00	340	340
4316	8632	17157	21446	25	5155	3866	25	725	725
2385	4770	16467	20583	75	3908	2931	00	585	585
5165	10330	17446	21807	50	6190	4642	50	1138	1138
1799	3598	11662	14577	50	3227	2420	25	535	535
4104	8208	13767	17208	75	4727	3545	25	822	822
1755	3510	10261	12826	25	3072	2304	00	495	495
2499	4998	10015	12518	75	3380	2535	00	837	837
2970	5940	12204	15255	00	4173	3129	75	705	705
1683	3366	5715	7143	75	2141	1605	75	417	417
2150	4300	10702	13377	50	3689	2766	75	825	825
1382	2764	5177	6471	25	2086	1564	50	354	354
717	1434	2146	2682	50	814	610	50	136	136
200	400	1834	2292	50	706	529	50	133	133
32298	64596	141707	177133	75	45016	33762	00	8047	8047

## GENERAL LIST-

Counties.	Horses and mules over \$25 and not exceeding \$75, at \$3, is		Horses and mules over \$75, at \$6, is		Horses and mules of two years old, at \$2, is		Horses and mules of one year old, at \$1 25, is	
	No.	Dolls.	No.	Dolls.	No.	Dolls.	No.	Dolls cts
Bennington	2573	7719	43	258	270	540	120	150 00
Windham	3727	11181	196	1176	627	1254	372	465 00
Rutland	4733	14199	79	474	603	1206	267	333 75
Windsor	6262	18786	167	1002	1108	2216	494	617 50
Addison	3852	11556	64	384	516	1032	198	247 50
Orange	4876	14628	100	600	964	1928	595	743 75
Chittenden	2919	8757	66	396	375	750	218	272 50
Washington	2963	8889	65	390	578	1156	341	426 25
Caledonia	3909	11727	60	360	816	1632	526	657 50
Orleans	1791	5373	5	30	346	692	244	305 00
Franklin	2471	7418	13	78	438	876	284	355 00
Lamoille	1380	4140	15	90	267	534	232	290 00
Essex	650	1950	14	84	108	216	107	133 75
Grand Isle	722	2166			138	276	70	87 50
Total	42828	128484	887	5322	7154	14308	4068	5085 00

## AGGREGATE—continued.

<i>Stallions of four years old and upwards, at \$75, is</i>			<i>Stallions of three years old, at \$30, is</i>			<i>Jacks, at forty dollars, is</i>			<i>Sheep, at ten cents per head, is</i>			<i>Carriages, assessed at six per cent. is</i>		
<i>no</i>	<i>Dols</i>		<i>no</i>	<i>dols</i>		<i>no</i>	<i>dols</i>		<i>No.</i>	<i>Dolls.</i>	<i>cts</i>	<i>No.</i>	<i>Dolls.</i>	<i>cts</i>
2	150								76541	7654	10	52	171	78
6	450	1	30	3	120				77500	7750	00	87	358	56
9	675	1	30	2	80	193	869		193869	19386	90	151	511	20
14	1050	2	60	5	200	169	534		169534	16953	40	242	878	60
3	225								177035	17703	50	56	196	30
11	825	1	30	2	80	101	754		101754	10175	40	279	609	42
5	375			2	80	87	883		87883	8788	30	129	385	10
1	75					60	780		60780	6078	00	92	314	70
15	1125			3	120	57	694		57694	5769	40	225	587	24
6	450	1	30	2	80	33	472		33472	3347	20	27	76	20
2	150	2	60	1	40	73	175		73175	7317	50	43	125	30
1	75	1	30	3	120	30	377		30377	3037	70	21	42	18
3	225			1	40	81	12		8112	811	20	20	62	76
4	300					18	508		18508	1850	80			
82	6150	9	270	24	960	1166	234		1166234	116623	40	1424	4319	34

## GENERAL LIST—

<i>Counties.</i>	<i>House clocks of brass and brass time-pieces, at three dollars, is</i>		<i>Gold watches, at four dollars, is</i>		<i>Common watches, at one dollar, is</i>		<i>Money on hand and debts due, at six per cent. is</i>	
	<i>No.</i>	<i>Dols</i>	<i>No</i>	<i>Dols</i>	<i>No.</i>	<i>Dols</i>	<i>Dolls. cts</i>	<i>Dolls. cts</i>
B'ningt'n	70	210	10	40	193	193	19559800	1173588
Windham	144	432	39	156	520	520	25174000	1510440
Rutland	83	249	29	116	340	340	34240100	2054406
Windsor	311	933	58	232	663	663	42111667	2526700
Addison	85	255	28	112	275	275	13728700	823722
Orange	341	1023	26	104	544	544	24413300	1464798
Chitt'nd'n	101	303	36	144	240	240	20875500	1252530
Wash'ton	170	510	21	84	486	486	14211800	852708
Caledonia	244	732	12	48	512	512	17930800	1075848
Orleans	34	102	10	40	183	183	3035500	182130
Franklin	87	261	5	20	143	143	4740000	284400
Lamoille	8	24	5	20	98	98	2729660	163779
Essex	14	42	1	4	45	45	960000	57600
Gr. Isle	6	18	1	4	18	18	1554500	93270
Total	1698	3094	281	1124	4265	4265	225265327	13515919

## AGGREGATE—continued.

<i>Bank and Insurance Stock, at six per cent. is</i>		<i>Attorneys, assessed in the whole at \$ is</i>		<i>Practitioners of Physic and Surgery, assessed in the whole at \$ is</i>		<i>Mechanics and manufacturers assessed in the whole at \$ is</i>	
<i>Dolls. cts</i>	<i>Dolls. cts</i>	<i>No</i>	<i>Dolls cts</i>	<i>No</i>	<i>Dolls cts</i>	<i>No.</i>	<i>Dolls. cts</i>
137080 00	8224 80	12	225 00	17	330 00	102	1692 50
110241 00	6614 46	5	230 00	17	597 00	39	1815 00
143895 00	8633 70	20	550 00	36	938 00	70	2098 00
203280 00	12196 80	27	564 00	61	986 00	194	3091 00
136559 00	8193 54	15	240 00	29	540 00	95	1991 00
64963 00	3897 78	22	315 00	34	557 00	210	2150 00
187686 00	11261 16	18	343 00	18	334 00	70	1955 00
36065 00	2163 90	18	425 00	26	435 00	101	1258 00
73825 00	4429 50	10	255 00	20	380 00	71	1858 50
19375 00	1162 50	12	155 00	16	240 00	38	426 00
34375 00	2062 50	26	315 00	21	280 00	56	733 00
2990 00	179 40	12	175 00	16	222 00	42	427 00
19600 00	1176 00	4	45 00	3	35 00	6	42 00
250 00	15 00	4	45 00	8	100 00	7	55 00
1170184 00	70211 04	200	3882 00	322	5974 00	1101	19592 00



## GENERAL LIST—

Counties.	Merchants and Traders, assessed in the whole at \$ is		Amount, including the whole of two- folds		Deduct for minors equipped for milita- ry duty, by parents, masters or guar- dians, at \$10, is		Militia polls, who are equipped, ex- empted at \$10, is	
	No.	Dolls. cts	Dolls. cts	No.	Dolls.	No.	Dolls.	
Benning.	25	1597 50	160904 60	112	1120	510	5100	
Windham	28	2493 08	225637 52	381	3810	1444	14440	
Rutland	48	3830 00	293843 87	275	2750	1141	11410	
Windsor	80	4914 00	366071 22	519	5190	1855	18550	
Addison	50	2824 50	217226 84	164	1640	679	6790	
Orange	56	2004 00	227173 85	424	4240	1573	15730	
Chit'nden	59	5583 00	178349 89	94	940	497	4970	
Wash'ton	48	2994 00	150576 87	365	3650	1141	11410	
Cal'donia	25	1512 33	162026 18	270	2700	1004	10040	
Orleans	20	531 60	68856 81	119	1190	623	6230	
Franklin	43	1535 00	120967 71	108	1080	533	5330	
Lamoille	19	528 00	57769 52	103	1030	480	4800	
Essex	6	130 00	23150 02	52	520	190	1900	
Gr. Isle	9	568 75	28319 18	15	150	62	620	
Total		51631046 76	2250874 08	3001	30010	11732	117320	

## AGGREGATE—continued.

<i>Militia polls, other than those who are equipped, exempted at \$10, is</i>		<i>Deduct one half of the two folds added in the several items in said list</i>		<i>Horses of cavalry, exempted at \$3, is</i>		<i>Amount deducted</i>	<i>Balance, being the true list for state taxes.</i>
<i>No.</i>	<i>Dolls.</i>	<i>Dols</i>	<i>cts</i>	<i>No</i>	<i>Dols</i>	<i>Dolls. cts</i>	<i>Dolls. cts</i>
193	1930			30	90	8240 00	152664 60
152	1520	213	07	105	315	20298 07	205339 45
283	2830	495	25	51	153	17638 25	276205 62
177	1770	860	75	91	273	26643 75	339427 47
209	2090	21	50	40	120	10661 50	206565 34
148	1480	38	90	131	393	21881 90	205291 95
222	2229			27	81	8211 00	170138 89
149	1490	4	00	75	225	16779 00	135797 87
59	590			23	69	13399 00	148627 18
86	860					8230 00	60576 81
266	2660	3	88	10	30	9103 88	111863 83
107	1070			16	48	6948 00	50821 52
44	440			1	3	2863 00	20287 02
57	570			18	54	1394 00	26925 18
2152	21520	1637	35	618	1854	172341 35	2108532 73

*To the General Assembly now in session :*

The committee appointed to make up the grand list respectfully report, that they have accomplished the business assigned them, and herewith present the general list.

ROYAL HATCH, for committee.

Nov. 1, 1837.

## UNPAID TAXES.

*To His Excellency Silas H. Jenison :*

The following is a statement of taxes remaining unpaid 30th September, 1837 :

### BENNINGTON COUNTY.

Arlington,	1836.	391 16	Sandgate	1836.	205 26
Bennington	"	949 65	Stamford	"	78 81
Dorset	"	297 01	Shaftsbury	"	546 05
Landgrove	"	08	Sunderland	"	11
Glastenbury	"	6 25	Woodford	"	37 74
Manchester	"	163 62	Searsburgh	"	9 19
Peru	"	40 43	Searsburgh	1834.	50
Pownal	"	322 24			
Readsboro'	"	17 10			\$3399 72
Rupert	"	334 52			

### WINDHAM COUNTY.

Athens	1836.	5 55	Stratton	1836.	31 65
Brattleboro'	"	714 51	Townshend	"	288 06
Brookline	"	56 18	Vernon	"	33 67
Dover	"	161 19	Wardsboro'	"	208 45
Grafton	"	271 59	Westminster	"	238 83
Guilford	"	347 59	Whitingham	"	274 92
Halifax	"	255 00	Wilmington	"	253 16
Londonderry	"	19 59	Windham	"	133 24
Marlboro'	"	191 63			
Putney	"	322 85			\$4042 31
Rockingham	"	234 65			

### RUTLAND COUNTY.

Benson	1836.	8 08	Poultney	1836.	539 76
Castleton	"	126 56	Pawlet	"	484 18
Clarendon	"	236 79	Rutland	"	767 96
Danby	"	373 63	Sherburne	"	58 24
Fairhaven	"	143 89	Sudbury	"	183 72
Ira	"	34 12	Tinmouth	"	206 57
Mendon	"	38 88	Wallingford	"	377 46
Middletown	"	224 82	Wells	"	146 89
Mount Holley	"	224 27	Westhaven	"	150 15
Orwell	"	622 15			
Pittsfield	"	86 22			\$5319 61
Pittsford	"	285 27			

## WIND-OR COUNTY.

Andover	1836.	136 79	Pomfret	1836.	362 82
Baltimore	"	41 06	Rochester	"	291 62
Barnard	"	325 41	Royalton	"	66 34
Bethel	"	375 53	Stockbridge	"	223 86
Cavendish	"	19 42	Weston	"	143 83
Chester	"	606 41	Woodstock	"	647 68
Hartland	"	38 96			
Ludlow	"	276 08			
Norwich	"	231 98			\$3787 82

## ADDISON COUNTY.

Addison	1836.	374 14	Monkton	1836.	246 53
Bridport	"	454 78	Panton	"	19 30
Bristol	"	175 77	Salisbury	"	195 95
Cornwall	"	331 96	Shoreham	"	574 64
Ferrisburgh	"	415 93	Starksboro'	"	165 03
Goshen	"	71 26	Waltham	"	83 03
Granville	"	62 08	Weybridge	"	180 99
Leicester	"	123 98	Whiting	"	173 12
Lincoln	"	99 22			
Middlebury	"	694 35			\$4442 06

## CHITTENDEN COUNTY.

Bolton	1836.	45 43	Milton	1836.	402 78
Burlington	"	886 37	Richmond	"	200 59
Charlotte	"	70 21	Shelburne	"	69 70
Do	1835.	6 13	Underhill	"	49 43
Colchester	1836.	69 04	Westford	"	168 57
Essex	"	254 47	Williston	"	66 91
Hinesburgh	"	309 50			
Huntington	"	129 15			\$3022 38
Jerico	"	294 10			

## ORANGE COUNTY.

Bradford	1836.	67 32	Topsham	1836.	246 92
Braintree	"	113 98	Tunbridge	"	422 14
Corinth	"	431 75	Vershire	"	230 62
Fairlee	"	100 94	West Fairlee	"	167 89
Newbury	"	56	Williamstown	"	35 00
Orange	"	131 19			
Randolph	"	638 58			\$2778 16
Thetford	"	191 27			

## CALEDONIA COUNTY.

Burke	1836.	155 33	Ryegate	1836.	195 33
Danville	1835.	119 29	St. Johnsbury	"	346 25
Groton	1836.	126 54	Sutton	"	178 50
Hardwick	"	231 25	Walden	"	22 86
Kirby	"	69 53			
Newark	"	40 32			
Peacham	"	372 67			\$1857 87

## WASHINGTON COUNTY.

Calais	1836.	220 84	Roxbury	1836.	15 31
Duxbury	"	48 33	Worcester	"	59 46
Marshfield	"	182 85	Woodbury	"	69 46
Montpelier	"	540 05	Do	1835.	1 00
Moretown	"	119 50			
Northfield	"	170 43			\$1427 23

## ORLEANS COUNTY.

Albany	1836.	99 56	Irasburgh	1836.	154 84
Barton	"	128 87	Morgan	"	46 70
Brownington	"	66 90	Newport	"	42 29
Charleston	"	66 37	Troy	"	93 33
Craftsbury	"	173 89	Westmore	"	6 44
Derby	"	248 14			
Greensboro'	"	15			\$1176 09
Holland	"	48 53			

## FRANKLIN COUNTY.

Enosburgh	1836.	191 58	Montgomery	1836.	10 28
Bakersfield	"	178 24	Richford	"	67 88
Fairfax	"	52 39	Sheldon	"	262 11
Fairfield	"	286 26	St. Albans	"	567 21
Fletcher	"	16 15	Swanton	"	308 62
Franklin	"	67 45			
Georgia	"	414 89			\$2741 30
Highgate	"	318 24			

## LANOILLE COUNTY.

Elmore	1836.	20 85	Cambridge	1836.	166 57
Stow	"	250 72	Johnson	"	185 30
Eden	"	48 79	Waterville	"	61 89
Hydepark	"	116 52			
Morristown	"	33 29			\$885 93

## ESSEX COUNTY.

Bloomfield	1836.	16 13	Lunenburg	1836.	173 94
Brunswick	"	22 08	Maldstone	"	26
Canaan	"	61 43	Brighton	"	11 43
Concord	"	73 56	Do	1834.	12 39
Granby	"	11 70			
Cuildhall	"	115 37			\$521 70
Lemington	"	23 41			

## GRAND ISLE COUNTY.

Alburgh	1836.	219 00	South Hero	1836.	44 51
Grand Isle	"	38 59			
Isle LaMott	"	56 80			\$454 31
North Hero	"	95 41			

		RECAPITULATION.			
Bennington county	.	.	.	.	3399 72
Windham	"	.	.	.	4042 31
Rutland	"	.	.	.	5319 61
Windsor	"	.	.	.	3787 82
Addison	"	.	.	.	4442 06
Chittenden	"	.	.	.	3022 38
Orange	"	.	.	.	2778 16
Caledonia	"	.	.	.	1857 87
Washington	"	.	.	.	1427 23
Orleans	"	.	.	.	1176 09
Franklin	"	.	.	.	2741 30
Lamoille	"	.	.	.	885 93
Essex	"	.	.	.	521 70
Grand Isle	"	.	.	.	454 31
					<hr/> \$35,856 49

There is also a balance of old taxes previous to 1816, the most part of which are unavailable, consisting of land taxes where abatements have not been made, and old taxes collected by sheriffs who have, with their bail, failed, amounting to \$1016 00; a part of which may however be collected.

A. CLARKE, Treasurer.

Sept. 30, 1837.

## ABSTRACT

*Of state causes, in the following counties, being all the returns made to the Clerk of the General Assembly, October session, 1837.*

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### BENNINGTON COUNTY.

Statement of all the civil causes in favor of the State's Treasurer ; also all the criminal causes that have been entered on the docket of the County and Supreme Courts in the county of Bennington, in the year ending October, A. D. 1837.

*County Court, December Term, 1836.*

*State vs. town of Bennington.*

Indicted for bad roads, September Term, 1835—plea, guilty ; fined \$0 10 and costs ; costs taxed \$22 53 ; execution issued August 10, 1837.

*State vs. town of Bennington.*

Indicted for bad roads, September Term, 1835—plea, guilty ; fined \$150 and costs ; costs taxed at \$19 20 ; execution issued August 10, 1837.

*State vs. Caleb Lilley, Caleb Lilley, Jr., Kinsley Brown, and J. B. Lilley.*

Indicted for a riot, June Term, 1836—continued.

*State vs. Truman Hurd.*

Indicted for Forgery, June Term, 1836—plea, not guilty ; verdict, guilty ; motion in arrest, and motion overruled ; exceptions allowed and sentence respited.

*State's Treasurer vs. David Bemis.*

Debt on recognisance—judgment for plaintiff ; motion to chancer ; bonds chancered to \$125, and cost taxed at \$16 65 ; Execution issued December 13th, 1836.

*State's Treasurer vs. John Niles.*

Judgment for plaintiff—motion to chancer ; bonds chancered to \$312 00, and costs taxed at \$13 95 ; execution issued December 13th, 1836.

*State vs. Davis Beardslee.*

Indicted for selling liquors without a licence, June Term, 1836—bonds called.



*State vs. Daniel Moon.*

Continued.

*State vs. Oren R. Lawrence.*

Information for theft—plea, guilty; sentenced to state's prison four years, and pay costs; cost taxed at \$34 37.

*State vs. Richard Rice.*

Information for passing counterfeit coin—plea, not guilty; verdict, guilty; sentenced to hard labor in state's prison one year; pay costs, taxed at \$19 89.

*State vs. Samuel Beattie.*

Continued.

*Supreme Court, February Term, 1837.*

*State vs. Truman Hurd.*

Indicted for forgery--bonds called.

*County Court, June Term, 1837.*

*State vs. Caleb Lilley and others.*

Indicted for a riot—continued.

*State vs. Samuel Beattie.*

Discharged.

*State's Treasurer vs. Truman and others.*

Judgment and review.

HENRY ROBINSON, Clerk.

Clerk's Office, Bennington, }  
October, 1837. }

## WINDHAM COUNTY.

Statement of all the criminal causes entered on the dockets of the Supreme Court and the County Courts, within and for the county of Windham; and the situation of the causes, together with the expenses of the prosecutions; and of the fines and forfeitures laid and assessed by said courts; and also of all the civil causes in favor of the state's treasurer during the year ending the first day of October, A. D. 1837.

*Supreme Court, February Term, A. D. 1837.*

*The State vs. the town of Whitingham.*

Indictment for not erecting a Bridge—fine \$1 00; costs \$25 95.

*County Court, April Term, A. D. 1837.**State vs. town of Dover.*

Indictment for not opening highway—Defaulted April Term 1836, and continued.

*The State vs. town of Guilford.*

Indictment for not repairing highway—defaulted April Term, 1836; fine, \$00 01; costs \$20 79.

*The State vs. town of Wilmington.*

Indictment for not repairing highway—defaulted April Term, 1836, and continued until this Term; fine \$00 01; costs \$20 00.

*The State vs. town of Rockingham.*

Indictment for not repairing highway—continued.

*The State vs. town of Whitingham.*

Indictment for not erecting a bridge—defaulted April Term, 1836; fine this Term \$00 01; costs 20 89; execution issued April 19, 1837.

*The State vs. Rufus Rice.*

Indictment for forgery—continued.

*The State vs. Lydia Twill.*

Indictment for forgery—continued.

*The State vs. town of Somerset.*

Indictment for not repairing highway—continued.

*The State vs. Foster A. Wheeler.*

Indictment for selling spirits—fine and costs paid county treasurer.

*The State vs. William M. Scott et al.*

Indictment for riot—nolle prosequi.

*The State vs. town of Wardsboro'.*

Indictment for not making and opening highway—continued.

*The State Treasurer vs. Eliot Morse et al.*

Debt on recognizance—bonds chancered to \$85 00; costs \$15 30; paid state's attorney.

*The State Treasurer vs. Isaac Lincoln and Jared Lillie.*

Bonds chancered to \$10—costs 13 80; paid state's attorney.

*The State vs. Henry Vandermark.*

Bound over for passing counterfeit bank bills—continued.

*The State Treasurer vs. Chester W. Sargeant.*

Bond chancered to \$50 00—costs \$14 81; execution issued April 19, 1837.

*County Court, September Term, 1837.**The State vs. the town of Dover.*

Indictment for not repairing highway—fine \$00 01; costs \$22 33; paid state's attorney.

*The State vs. the town of Wardsboro'.*

Indictment for not repairing road—fine \$00 01; costs \$22 06; paid state's attorney.

*The State vs. the town of Rockingham.*

Indictment for not repairing road—fine \$00 01; costs \$23 05; execution issued.

*The State vs. Rufus Rice.*

Indictment for forgery—bonds called.

*The State vs. Lydia Twill.*

Nolle prosequi.

*The State vs. the town of Somerset.*

Indictment for not repairing highway—continued.

*The State vs. Henry Vandermark.*

Indictment for passing counterfeit bank bills—bonds called.

*The State's Treasurer vs. Charles H. and Leavitt H. Roberts.*

Debt on recognizance—bond chancered to \$20 00; costs taxed at \$13 80.

*The State vs. Uriel B. Fox.*

Indictment for forgery—bonds called.

*The State vs. George Johnson.*

Indictment for larceny—plea, guilty; sentence, state's prison one year; costs \$17 55.

*The State vs. Dwight Hazleton.*

Indictment for larceny—plea, guilty; sentence, state's prison two years; costs \$13 55.

*The State vs. the town of Guilford.*

Indictment for not making road—continued.

*The State vs. the town of Wilmington.*

Indictment for not making road—continued.

*The State vs. the town of Marlboro'.*

Indictment for not making and opening road—continued.

*The State vs. Ebenezer Barber.*

Indictment for passing counterfeit money—bonds called.

*The State vs. the town of Newfane.*

Indictment for not opening road—continued.

The State *vs.* the town of Windham.

Indictment for not making road—continued.

The State *vs.* the town of Whitingham.

Indictment for not making and opening road—continued.

The State *vs.* Abraham Bigby.

Indictment for larceny—dismissed.

The State *vs.* Joseph Willard.

Dismissed.

M. MILLER, Clerk.

Windham County Clerk's Office, }  
Newfane, Oct. 1, 1837. }

## RUTLAND COUNTY.

Statement of all the civil causes in favor of the state's treasury ; and also all the criminal causes that have been entered in the Dockets of the Supreme and County Court, during the year ending October 1, 1837, in the county of Rutland.

### *In Supreme Court.*

State *vs.* William Bushee.

Information filed on motion of respondent for assault and battery—plea, guilty ; sentence, to be confined in common jail 90 days and pay cost ; cost, \$14 00.

### *In County Court, April Term.*

State *vs.* Jasamiah Barrett.

Continued.

State *vs.* town of Brandon.

Plea, guilty ; fine \$100 ; cost, \$30 26 ; H. B. Strong, committee ; execution issued 20th April, 1837.

State *vs.* Clarendon.

Verdict guilty, April Term, 1836—continued.

State *vs.* Wm. H. Harrison.

Nolle prosequi—cost, \$15 74

State *vs.* Asa Emerson.

Bonds called—cost \$28 54 ; amount of bonds \$500.

State *vs.* Rutland.

Defaulted—continued.

## State vs. Clarendon.

Plea, guilty—fine \$0 10; cost, 23 37; execution issued.

## State vs. Wallingford.

Plea, guilty—fine \$0 10; cost \$21 29; execution issued.

## State vs. Clarendon.

Plea, guilty—fine \$60 00; cost \$21 50; Ruel Parker committee; execution issued.

## State vs. town of Shrewsbury.

Continued.

## State vs. Castleton.

Continued.

## State vs. Rutland.

Defaulted—fine, \$75 00; cost, \$16 11; Daniel Kelly committee; execution issued.

## State vs. Castleton.

Plea, guilty—continued.

## State vs. William Parker.

Nolle prosequi—cost, \$13 61.

## State vs. Danby.

Plea, guilty—continued.

## State vs. Hubbardton.

Defaulted—continued.

## State vs. Pittsford.

Plea, guilty—fine, \$0 01; cost, \$20 46; execution issued.

## State vs. Rutland.

Defaulted—fine, \$0 01; cost, \$16 11; execution issued.

## State vs. Poultney.

Plea, guilty—fine, \$150; cost, \$18 36; Ephraim Colvin committee; execution issued.

## State vs. Freeman Benson.

Verdict, not guilty—cost, not taxed.

## State vs. Chester Cleaveland.

Continued.

## State vs. town of Benson.

Plea, guilty—continued.

## State vs. town of Pawlet.

Verdict, not guilty—cost, \$32 60.

## State vs. Danby.

Plea, guilty—fine \$0 01; cost, \$22 20; execution issued.

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*State vs. Ira.*

Defaulted—fine, \$0 01; cost, \$16 19.

*State vs. Poultney.*

Plea, guilty—fine, \$100; cost, 19 60; James Winchell, committee; execution issued.

*State vs. Green Mountain Turnpike Company.*

Plea, guilty—continued.

*State vs. Poultney.*

Plea, guilty—continued.

*State vs. Wallingford.*

Plea, guilty; fine \$0 10; cost, \$20 80; execution issued.

*State vs. Westhaven.*

Continued.

*State vs. Abel Gleason.*

Information for assault and battery—continued.

*State vs. Abel Gleason.*

Information for assault and battery—plea, guilty; fine \$25 00; cost 19 18; Warrant issued.

*State vs. Abel Gleason.*

Information for assault and battery—plea, guilty; fine, \$25 00; cost, 18 69; warrant issued.

*State vs. Joel Baird.*

Bound up for forgery—continued.

*State vs. Warner Brown.*

Information for assault and battery—plea, guilty; fine, \$30 00; cost \$31 07; warrant issued.

*State vs. Charles Lincoln.*

Information for assault and battery—plea, guilty; fine, \$10 00; cost, 15 98; warrant issued.

*State vs. John P. Davis.*

Bound up for forgery—information filed on motion of Respondent; verdict, guilty; sentenced to state prison three years; cost, \$54 66; warrant issued.

*State vs. Stephen R. Perkins.*

Information for tavern keeping—plea, guilty; fine, \$20 00; cost, \$14 57; paid state's attorney.

*State vs. Francis Hoy.*

Information for tavern keeping—plea, guilty; fine \$20 00; cost, \$21 26; paid state's attorney.

*State vs. Levi Needham.*

Information for resisting an officer—verdict, guilty; bonds called in; amount of bond, \$300 00; cost \$29 21.

*County Court, September Term, 1837.**State vs. Jazamiah Barrett.*

Plea, guilty—fine, \$1 00; cost, \$27 99; nuisance to be abated first October, 1837; warrant issued.

*State vs. Clarendon.*

Verdict, guilty, April Term, 1836—fine, \$640 00; cost, \$29 88; Moses Perkins committee; execution issued.

*State vs. Rutland.*

Defaulted April Term, 1837—continued.

*State vs. Shrewsbury.*

Plea, guilty, April Term, 1837—continued.

*State vs. Castleton.*

Plea, guilty, April Term, 1837—fine, \$1 00; cost, \$26 07; execution issued.

*State vs. Castleton.*

Plea, guilty, April Term, 1837—fine, \$1 00; cost, \$26 10; execution issued.

*State vs. Danby.*

Plea, guilty, April Term, 1837—continued.

*State vs. Hubbardton.*

Defaulted April Term, 1837—fine, \$1 00; cost, 29 37; execution issued.

*State vs. Chester Cleaveland.*

For selling spirits—verdict, guilty; bonds called.

*State vs. Benson.*

Plea, guilty, April Term, 1837—fine, \$1 00; cost, \$25 34; execution issued.

*State vs. Green Mountain Turnpike Company.*

Plea, guilty, April Term, 1837—fine, \$20 00; cost, \$29 39; execution issued.

*State vs. Poultney.*

Plea, guilty—fine, \$1 00; cost, 22 37; execution issued.

*State vs. Westhaven.*

Plea, guilty—fine, \$0 06; cost, 27 03; execution issued.

*State vs. Abel Gleason.*

Continued.

*State vs. Howard Judkins.*

Indicted for stealing—plea, guilty; sentenced to state prison one year &c.; cost, \$45 34; warrant issued.

*State vs. John D. Esty.*

Indicted for swindling—bonds called.

*State vs. Green Mountain Turnpike Company.*

Indicted this term for bad road—continued.

*State vs. James C. Smith.*

Bill not found.

*State vs. Joel Baird.*

Bill not found.

*State vs. Charles Aubury.*

Indicted for stealing—bonds called.

*State vs. Joel Gibbs.*

Indicted for tavern keeping—plea, guilty ; fine \$10 00 ; cost, \$11 50.

*State vs. Asa Emerson.*

Indicted for assault, September Term, 1836—surrendered by his bail this Term ; verdict, guilty ; sentence, to be confined in common jail 60 days, pay fine of \$25 and cost ; cost, \$50 33 ; warrant issued.

*State vs. Francis Hoy.*

Indicted for tavern keeping—plea, guilty ; fine, \$10 00 ; cost, \$11 83 ; paid state's attorney.

*State vs. Stephen R. Perkins.*

Indicted for tavern keeping—plea, guilty ; fine, \$10 00 ; cost, \$11 83 ; paid state's attorney.

*State vs. Thomas Dimmick.*

Indicted for stealing—plea, guilty ; fine \$10 ; cost, \$29 86 ; warrant issued.

*State vs. Royal R. Stetson.*

Indicted for killing sheep—verdict, not guilty ; cost, \$30 89.

*State vs. Sumner Ross.*

Indicted for assault and battery—verdict, guilty ; fine \$15 00 ; cost 24 73 ; warrant issued.

*State vs. Benjamin H. Trowbridge.*

Indicted for tavern keeping—nolle prosequi.

*State Treasurer vs. Levi Needham and al.*

On recognizance—bond chancered to \$80 00 ; cost, 12 73 ; execution issued.

*State Treasurer vs. Lyman Emerson.*

On recognizance—bond chancered to \$10 ; cost, \$14 76 ; execution issued.

*State Treasurer vs. John D. Esty and John Esty.*

Declaration filed on motion of defendants—bonds chancered \$50 00 ; cost, \$12 73 ; execution issued.

R. PIERPOINT, Clerk.

Clerk's Office, Rutland, }  
October 1, 1837. }



## ADDISON COUNTY.

Statement of State causes on the docket of the County Court for the county of Addison, at the terms holden in December, 1836, and June, 1837.

*December Term, 1837.*

Treasurer *vs.* James Cook.

On recognizance for Allen Smith—*nolle prosequi*, in pursuance of an act of the Legislature.

Treasurer *vs.* Allen Smith.

Recognizance for Chelon Howard et al—chancered to \$200; costs, \$27 29; debtor committed.

State *vs.* Allen Smith.

Indictment for nuisance, June Term, 1836—continued.]

State *vs.* Hezekiah Foster.

Indictment forging, June Term, 1836—continued.

State *vs.* Royal Beenell.

Indictment for forgery, June Term, 1836—continued.

State *vs.* Enos Crampton.

Indictment for assault, June Term, 1836—continued.!

State *vs.* Henry Grover.

Complaint, forgery—returned by justice of the peace; continued.

State *vs.* Patrick Cannon.

Information for theft—continued.

State *vs.* J. S. Bushnell.

Information for assault—plea, guilty; fine, \$10; cost \$18 88.

State *vs.* Peter C. Barton.

Information for theft—bail called.

State *vs.* Daniel Vradenburgh.

Information for assault—plea, not guilty; verdict, guilty; fine, \$20; cost, \$26 98; committed.

State *vs.* Hiram H. Champlain.

Information for assault—continued.

State *vs.* Janens Quin.

Information for assault with intent to kill—plea, not guilty; verdict, guilty of assault and battery; sentence, four months in county jail; fine, \$5; cost, \$31 33.

*June Term, 1837.*

Treasurer *vs.* Moses Barton,

On recognizance for Peter C. Barton—chancered to \$50; cost \$13 04.

Treasurer *vs.* Allen Smith and al.

On jail bond—judgment for plaintiff and review.

State *vs.* Allen Smith.

Indictment for nuisance, June Term, 1836; nolle prosequi.

State *vs.* Hezekiah Foster.

Indictment for forgery, June Term, 1836—plea, not guilty; verdict not guilty.

State *vs.* Loyal Beenell.

Indictment for forgery, June Term, 1836—continued.

State *vs.* Enos Crampton.

Indictment for assault, June Term, 1836—continued.

State *vs.* Henry Grover.

Indictment for forgery—bail called.

State *vs.* Patrick Cannon.

Information for theft, December Term, 1836—continued.

State *vs.* Hiram H. Champlain.

Information for assault—plea, guilty; fine, \$7; cost, \$14 53.

State *vs.* Daniel Potter.

Bill not found.

State *vs.* George Pemberton.

Bill not found.

State *vs.* Luther Grover.

Indictment for forgery—continued.

State *vs.* Warner Mimblet.

Indictment for theft—bail called.

State *vs.* David Lawrence.

Indictment for assault—plea, guilty; fine, \$7; cost, \$14 78.

State *vs.* John Wilson.

Indictment for passing counterfeit bills—plea, not guilty; verdict, guilty; sentence, state's prison three years; cost, \$39 18.

State *vs.* John Wilson.

Indictment for theft—continued.

*July adjourned Term, 1837.*

State *vs.* Benjamin B. Bowen.

Information for burglary—plea, guilty; sentence, state's prison six years; cost, \$11 73.

S. SWIFT, Clerk.

Addison County Clerk's Office, }  
6th October, 1837. } Hh

## CHITTENDEN COUNTY.

A statement of all the causes in favor of the State and of the State Treasurer, on the Dockets of the Supreme and County Courts, in the county of Chittenden, for the year ending October 1, 1837.

*County Court, March Term, A. D. 1837.*

State *vs.* Andrew Clow.

Continued.

State *vs.* George Drew.

Continued.

State *vs.* Stephen McGin.

Theft—continued.

State *vs.* Zadock Colman.

Theft—verdict, not guilty; costs not taxed.

State *vs.* James Henry.

Theft—sentenced to state Prison for three years, and to pay costs of prosecution, taxed \$16 60; mittimus issued, and convict committed.

State *vs.* Charles Sumner.

Information for theft—sentenced to pay a fine of \$5 00, and costs, taxed at \$25 46; mittimus issued, and convict committed; fees, \$1 40.

State *vs.* David A. Davidson.

Information for assault and battery—sentence to pay a fine of \$5 00, and the costs taxed at \$21 76; mittimus issued, and convict committed; fees, \$1 40.

State *vs.* Jonathan Gay.

Continued.

Treasurer of the State *vs.* Asa S. Mills et al.

Debt on recognizance—judgment and review.

*August Term, 1837.*

State *vs.* Andrew Clow.

Continued.

State *vs.* George Drew.

Continued.

State *vs.* Jonathan Gay.

Recognizance of witnesses, called and forfeited—continued.

State *vs.* William Simpson.

Daniel Simpson recognized for his appearance, called—and bond forfeited.

State *vs.* Henry E. Sawyer.

Indictment for theft—sentenced to state prison for four years, and to pay costs of prosecution, taxed at \$21 56; mittimus issued; convict committed.

*State vs. Ephraim J. Mack.*

Indictment for passing counterfeit money—plea, guilty; continued for sentence.

*State vs. Francis Stone.*

Indictment for burglary—plea, guilty; sentenced to state prison for four years, and to pay costs of prosecution, taxed at \$24 01; convict committed.

*State vs. David Mossie.*

Indictment for theft—plea, sentenced to state prison for two years, and to pay costs, \$20 96; committed.

*State vs. Patrick Smith.*

Indictment for theft—verdict, guilty; sentenced to state prison for five years, to pay costs, \$27 77; committed.

*State vs. Antoine St. Louis.*

Indictment for theft—verdict, guilty; sentenced to state prison for three years, and to pay costs, \$17 73; committed.

*State vs. Joseph Thomas.*

Indictment for theft—verdict, guilty; sentenced to state prison for five years, and to pay costs, \$24 07; committed.

*State vs. Hiram Walker.*

Indictment for forgery—plea, not guilty; continued.

*State vs. Judah T. Ainsworth.*

Indictment for selling spirits without license—plea, guilty; fine, \$30; costs, \$11 35; paid to state's attorney.

*State vs. common jail of Chittenden County.*

Indictment—costs not taxed.

Treasurer of the State of Vermont *vs.* Asa S. Mills et al.

Debt on recognizance—judgment for plaintiff; bond chancered to \$50 00; costs, \$22 66; execution issued.

*State vs. A. Bellows.*

Bill not found—costs not taxed.

*State vs. W. Blake.*

Bill not found—costs not taxed.

*State vs. H. Hoose.*

Bill not found—costs not taxed.

WILLIAM NOBLE, Clerk.

Chittenden County Clerk's Office, }  
Burlington, Oct. 1837. }

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### WASHINGTON COUNTY.

Returns of state causes in Washington county, for the year ending October 1, 1837.

*November Term, 1836.*

*State vs. town of Roxbury.*

Indictment for not opening a road—continued for assessment of fine.

*State vs. town of Worcester.*

Indictment for not opening and making road—continued for assessment of fine.

*State vs. town of Elmore.*

Indictment for not opening and making road—continued for assessment of fine.

*State vs. town of Warren.*

Indictment for not repairing a road—continued for assessment of fine.

*State vs. Wm. A. Gallup.*

Indictment—Nolle prosequi entered.

*State vs. Charles Plastrage.*

Information for theft—plea, not guilty; verdict, guilty; fine \$50; cost, \$41 49; warrant issued Nov. 30, 1836.

*State vs. Abel Parker.*

Indictment for counterfeiting—capias issued—continued.

*State vs. Isaac G. Foster.*

Indictment for forgery—bonds called out and forfeited.

*State vs. Uriah Chatfield.*

Information for theft—bonds called out and forfeited.

*State vs. Stephen McGuin.*

Information for theft—plea, guilty; sentenced to state's prison eighteen months from Nov. 29, 1836, and pay costs, taxed \$15 29; warrant issued.

*State Treasurer vs. Miles Templeton.*

On recognizance—defaulted; motion to chancer; bonds chancered to \$75; costs, \$13 35; received by state's attorney.

*State Treasurer vs. Wm. Templeton.*

On recognizance—defaulted; motion to chancer; bonds chancered to \$50; costs \$14 35; received by state's attorney.

*State vs. Mazelda Keyes.*

Indictment for forgery—plea, not guilty; verdict, not guilty; costs not taxed.

*State vs. Anson G. Burrows.*

Bonds called and forfeited.

State *vs.* Alden Doten.

Bill not found—bonds discharged.

State *vs.* Orrin Pitkin.

Indictment for nuisance—continued.

State *vs.* Wm. Joslin.

Indictment for pedling without a license—continued.

State *vs.* John Waterman.

Indictment for pedling without a license—continued.

State *vs.* Alden Doten.

Indictment for keeping house of ill fame—arrested, gave bail in \$300 ; continued.

State *vs.* Wm. Crain.

Indicted for perjury—arrested, gave bail in \$500 ; continued.

*April Term, 1837.*

State *vs.* town of Roxbury.

Continued for assessment of fine.

State *vs.* town of Worcester.

Continued for assessment of fine.

State *vs.* town of Elmore.

Continued for assessment of fine.

State *vs.* town of Warren.

Continued for assessment of fine.

State *vs.* Wm. Joslin.

Continued.

State *vs.* Orrin Pitkin.

Continued.

State *vs.* Alden Doten.

Bonds called out and forfeited.

State *vs.* John Waterman.

Continued.

State *vs.* Wm. Crain.

Continued, on affidavit of respondent.

State Treasurer *vs.* Benjamin Allen et al.

On recognizance—defaulted ; motion to chancer ; bonds chancered to \$175 ; costs, \$17 13 ; execution issued April 19, 1837.

State Treasurer *vs.* Uriah Chatfield and John L. Chatfield.

On recognizance—defaulted ; debt and damage, \$75 00 ; cost, \$10 72 ; execution issued April 19, 1837.

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State Treasurer *vs.* Calvin Foster et al.

On recognizance—defaulted; motion to chancer; bonds chancered to \$1; cost, \$16 32; execution issued April 19, 1837.

Same *vs.* same.

On recognizance—defaulted; motion to chancer; bonds chancered to \$1; cost, \$28 76; execution issued April 19, 1837.

State *vs.* Frankenbridge and Wm. Ulton.

Information by state's attorney—*nolle prosequi* entered and bonds discharged.

JOSHUA Y. VAIL, Clerk.

Washington County Clerk's Office, }  
October 1, 1837. }

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CALEDONIA COUNTY.

A statement of all the state causes in the county of Caledonia, for the year ending October 1, 1837.

*County Court, December Term, 1837.*

State's Treasurer *vs.* D. Azro A. Buck.

Assumpsit—continued.

State's Treasurer *vs.* Samuel Wright.

Assumpsit—discontinued.

State *vs.* Alvin H. Chaddock.

Bound up—information for theft; plea, not guilty; verdict, not guilty by reason of insanity.

State *vs.* Japhet Gray.

Information for theft—plea, not guilty; respondent under bonds for appearance next term.

State *vs.* James Hatch.

Information for theft—plea, guilty; sentence, confinement at hard labor in state's prison for eighteen calendar months, and pay costs of prosecution, taxed at \$12 79.

State *vs.* Lindsay Day.

Bound up for theft—continued for grand jury term.

*June Term, 1837.*

State's Treasurer *vs.* D. Azro A. Buck.

Assumpsit—verdict and judgment for plaintiff; damages, \$727 03; cost, \$73 40; defendant excepted—exceptions allowed, and execution stayed.

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*State vs. Japhet Gray.*

Continued from December Term, 1836—bonds called out.

*State vs. Lindsay Day.*

Continued from December Term, 1836—bonds called out.

*State's Treasurer vs. Louis Remoux and Levi Hall.*

Scire facias on recognizance—defaulted; bond chancered; debt, \$18 98; costs, \$15 03; execution issued June 12, 1837.

*State vs. Enoch Hall.*

Scire facias on recognizance—discontinued.

*State vs. Samuel Peters.*

Indictment for keeping an inn without license—plea, not guilty; continued.

*State vs. Samuel Peters.*

Indictment for selling liquors, &c.—plea, not guilty, and continued.

*State vs. Samuel French.*

Indictment for retailing—plea, guilty; fine \$10; costs not taxed.

*State vs. James L. Dustin.*

Indictment for rape—plea, not guilty. Indictment for assault with intent, &c.—plea, not guilty; the cases consolidated by agreement of parties; verdict, guilty on both indictments. On the indictment for rape, sentenced to hard labor in state's prison for ten years from 10th day of June, 1837, and pay costs of prosecution, taxed at \$58 74. On the indictment for assault, &c. sentence suspended.

*State vs. Caleb Clement.*

Indictment for gaming, &c.—bound up.

*State vs. Joseph Brown.*

Indictment for selling liquor, &c.—continued.

*State vs. Robert Clogston.*

Indictment for selling liquor—continued.

*State vs. James Kittredge and Archelaus Heath.*

Indictment for riot—continued.

*State vs. James Kittredge and others.*

Indictment for riot—demurrer; judgment, indictment is sufficient, respondents have leave to withdraw demurrer; continued.

*State vs. Passumpsic Turnpike Company.*

Indictment—continued.

*State vs. David A. Kent.*

Indictment for theft—continued.

*State vs. John Colby.*

Indictment for theft—continued.



State *vs.* Albert Tice. -

Indictment for theft—continued.

State *vs.* William Vincent.

Indictment for theft—continued.

State *vs.* Nathaniel Morrill.

Indictment for theft—continued.

SAMUEL B. MATTOCKS, Clerk.

Clerk's Office, Danville, }  
Oct. 1, 1837. }

## FRANKLIN COUNTY.

A statement of all the civil causes in favor of the State's Treasurer, and of all the criminal causes on the Dockets of the County Court for the county of Franklin, for the year ending October 1st, A. D. 1837.

*Franklin County Court, April Term, A. D. 1837.*

State *vs.* Anthony Bessey.

Indictment for counterfeiting—Charles B. Maynard and Archibald McAllister, recognized to the State's Treasurer in the sum of \$500 00 for the appearance of the respondent; respondent and bail called and bonds forfeited.

State *vs.* John alias Richard Quackenboss.

Indictment for counterfeiting—continued.

State *vs.* Elijah Eldred.

Indictment for an assault and battery—continued.

The Treasurer *vs.* Joseph Weeks and Thomas H. Campbell.

Action on a jail bond—discharged by act of the Legislature.

State *vs.* John A. Burton.

Indictment for theft—continued.

State *vs.* Francis Laffin.

Indictment for maiming and killing a horse—continued.

*State vs. Jason Shertliff.*

Indictment for burning a stack of hay—respondent arrested ; plea, not guilty ; verdict, not guilty.

*State vs. John Hall.*

Information for carnally knowing his daughter, an infant child, filed at respondent's request—respondent recognized to the State's Treasurer in the sum of \$50 00 for his appearance, and discharged from prison ; continued.

*State vs. Thomas Kewley.*

Information for theft—John Kewley recognized to the State's Treasurer in the sum of \$100 00 for the appearance of respondent ; respondent and bail called and bond of recognizance forfeited.

*State vs. Silas N. Hefflon.*

Information for an assault and battery—continued.

*State vs. Joseph Bradford.*

Indictment for carnally knowing an unmarried woman—he being a married man ; respondent discharged from prison on his recognizance in \$500 for his appearance ; continued.

*State vs. Joel Jones.*

Indictment for assault and battery on respondent's daughter—judgment last term ; fine \$7 00 ; cost \$30 17.

*State vs. Luther Hyde.*

Indictment for perjury—plea not guilty ; verdict not guilty.

*State's Treasurer vs. Jeptha Bradley, Albert G. Tarlton, and Herman R. Beardsley.*

Action on bond of recognizance for the appearance of Francis Dinnin—judgment for plaintiff ; reviewed by defendants.

*State vs. Norman Lampman.*

Information for theft—continued.

*State vs. Lewis Myatt.*

Information for theft—continued.

*State vs. Calvin Perry.*

Information for selling spirits without license—respondent says he will not contend ; fine \$10 00 ; cost \$23 19.

*State vs. William Cline.*

Information for theft—continued.

*State vs. Alvin C. Farnsworth.*

Recognizance—continued.

*State vs. William Crane.*

Recognizance—continued.

*State vs. John Deline.*

Information for theft—plea not guilty; verdict guilty; fine \$25 00; cost \$24 39; respondent committed to jail until fine and cost be paid.

*State vs. Pallas Phelps.*

Information for forgery, filed at respondent's request, in writing—continued.

*Franklin County Court, September Term, A. D. 1837.**State vs. Elijah Eldred.*

Indictment for assault and battery—continued.

*State vs. John A. Burton.*

Indictment for theft—continued.

*State vs. Francis Laffin.*

Indictment for maiming and killing a horse—continued.

*State vs. John Hall.*

Information for having carnal knowledge of his infant daughter—*nolle prosequi*.

*State vs. Silas N. Hefflon.*

Information for an assault and battery—*nolle prosequi*.

*State vs. Joseph Bradford.*

Indictment for carnally knowing an unmarried woman, he being a married man—respondent at large on his recognizance—continued.

*State vs. John alias Richard Quackenboss.*

Indictment for counterfeiting—continued.

*State's Treasurer vs. Jephtha Bradley, Albert G. Tarlton and Herman R. Beardsley.*

Action on bond of recognizance for Francis Dinnin's appearance—judgment for plaintiff; bond chancered to \$50 00; cost \$21 90.

*State vs. Norman Lampman.*

Information for theft—respondent not yet retaken; continued.

*State vs. Lewis Myatt.*

Information for theft—respondent not yet retaken; continued.

*State vs. William Cline.*

Information for theft—respondent not yet retaken; continued.

*State vs. Alvin C. Farnsworth.*

Indictment for counterfeiting—respondent and bail called, and bond forfeited; bond \$300 00.

*State vs. William Crane.*

Indictment for counterfeiting—respondent and bail called and bonds forfeited; bonds \$1000 00.

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*State vs. Pallas Phelps.*

Information for forgery filed at request of respondent—continued.

*State's Treasurer vs. Charles B. Maynard and Archibald McAllister.*

Action on recognizance for the appearance of Anthony Bessey—judgment for plaintiff; continued on motion to chancer.

*State vs. William Crane.*

Indictment for having in possession a plate for the purpose of counterfeiting—continued.

*State vs. Sidney A. Leach.*

Indictment for counterfeiting—respondent and bail called and bonds forfeited; bonds \$400.

*State vs. Harry Powell.*

Indictment for stealing a horse—respondent and bail called and bond forfeited; bonds \$200.

*State vs. Henry Boright.*

Indictment for transporting a citizen out of the state—Alden Sears recognized to the State's Treasurer in the sum of \$500 for the appearance of the respondent; continued.

*State vs. William Crane.*

Indictment for counterfeiting—continued.

*State vs. Elijah Eldred.*

Indictment for burglary—plea not guilty; verdict not guilty.

*State vs. Truman A. C. Bussell.*

Indictment for theft—respondent and bail called and bond forfeited; bonds \$100.

*State vs. Samuel Shepard.*

Indictment for breaking jail—respondent and bail called and bonds forfeited; bonds \$50.

*State vs. Lambard Droight and Francis Droight.*

Information for impeding a constable in the execution of the duties of his office—respondents not yet arrested; continued.

*State vs. John Deline.*

Indictment for breaking jail—plea not guilty; verdict not guilty.

*State vs. Lucinda Johnson.*

Indictment for theft—continued.

*State vs. town of Fletcher.*

Road indictment—continued for notice.

*State vs. Pallas Phelps.*

Indictment for breaking jail—plea not guilty; verdict not guilty.

## State vs. Calvin Perry.

Indictment for retailing spirits without license—plea guilty; fine \$10; cost \$15 04.

## State vs. Zadoc Lee.

Indictment for stealing a horse—continued.

## State vs. Zadoc Lee.

Indictment for counterfeiting--continued.

## Inquisition on the body of Amy Searle.

Verdict that said Amy Searle did kill and murder herself, by hanging herself by the neck, with a piece of a handkerchief, in a state of mental derangement—cost of inquisition allowed at \$14 82.

## Inquisition on the body of an unknown female child.

Verdict that said infant female child came to her death by violence or drowning in the Lamaille river, by some person or persons unknown to the jurors—cost of inquisition allowed at \$13 86.

## Presentment of the Common Jail.

Presented by the grand jurors—ordered to be recorded.

A true statment,

Attest, JOSEPH H. BRAINERD; Clerk.

Franklin County Clerk's Office, }  
Oct. 4th, A. D. 1837. }

A statement of the licenses granted by the County Court to innkeepers and retailers in Franklin county, during the year 1837.

*Franklin County Court, April Term, A. D. 1837.*

The following persons were licensed by the Court to be innkeepers, viz:

Albert Bliss in Georgia,	duty	3 50
Nelson Bullard in Swanton,	"	4 00
Calvin Perry " "	"	4 00
Reuben Dewey in Fairfax,	"	3 50
Benjamin Richardson in Fairfax,	"	2 50
Charles S. Gallup in Franklin,	"	3 50
Smith Farrand in Highgate,	"	2 00
George G. Reuter in "	"	2 00
Cornelius Palmer " "	"	2 00
Alden Sears in Richford,	"	2 50
Cromwell Brown in Berkshire,	"	2 00
Perley Hall " "	"	2 00
Daniel Fish " Sheldon	"	3 00
John Chaffee " Berkshire,	"	2 00
Samuel Campbell Jr. in St. Albans,	"	5 50
Samuel H. Barlow " "	"	7 50
Jonathan R. Danforth " "	"	7 50
Charles C. Stone " Bakersfield,	"	3 00

The following persons were licensed to be retailers, viz :

Potter, Cull & Co. in Fairfax, to retail foreign and domestic distilled spirits, duty	10 00
Alden Sears in Richford, to retail foreign and domestic distilled spirits, duty	8 25
Platt & Merrell in Highgate, to retail foreign and domestic distilled spirits, duty	13 00
George M. Kidder in Highgate, to retail foreign and domestic distilled spirits, duty	13 00
Chaffee & Burleson in Berkshire, to retail foreign distilled spirits, duty	2 75

*Franklin County Court, September Term, A. D. 1837.*

The following persons were licensed by the Court to be innkeepers, viz :

Thomas H. Campbell in St. Albans,	duty 7 50
Merritt Ladd " "	" 3 50
Henry Stinchour in Highgate,	" 6 00
Corydon Pease in Fairfax,	" 2 00
Orson Carpenter in Berkshire,	" 3 00

The following persons were licensed to be retailers, viz :

Ruble & Bowen in Berkshire, to retail domestic distilled spirits, duty	5 00
Ruble & Bowen have paid for retailing from July 1837, to this Term,	1 00
Smith, Alfred & Wheeler in Berkshire, to retail domestic distilled spirits, duty	5 00
Smith, Alfred & Wheeler have paid for retailing from July 1837, to this Term,	1 00
Calvin Perry in Swanton, to retail foreign and domestic distilled spirits, duty	10 00

A true statement,

Attest, JOSEPH H. BRAINERD, Clerk.

ORLEANS COUNTY.

Abstract of State causes in Orleans county, for the year ending Oct. 1st, 1837.

*County Court, December Term, 1836.*

State vs. town of Irasburgh.

Indictment for bad road—judgment guilty; fine \$0 01; costs \$18 19; execution issued and delivered to state's attorney.

State vs. Leonard H. Smith.

Indictment for an assault and battery—no arrest; continued.

State vs. Samuel N. Burdit.

Indictment for adultery—plea not guilty; verdict not guilty; discharged.

**State vs. Elisha Brown.**

Indictment for stealing—plea not guilty ; verdict not guilty ; discharged.

**State vs. John W. Sweetzer.**

Information for stealing—plea not guilty ; verdict guilty ; motion in arrest ; sentence respited, and respondent discharged.

*County Court, June Term, 1837.*

**State vs. Leonard H. Smith.**

No arrest—nolle prosequi entered by state's attorney.

**State vs. Nathaniel Young.**

Indictment for an assault and battery—plea not guilty ; verdict guilty ; fined \$20, and to pay cost of prosecution, taxed at \$65, and thence committed until sentence be complied with.

**State vs. James Buddin.**

Indictment for stealing—plea not guilty ; verdict guilty ; sentence to be confined in state's prison for eighteen months and pay costs of prosecution, taxed at \$

**State vs. James Iris.**

Indictment for stealing—plea not guilty ; verdict guilty ; sentence to be confined in state's prison one year.

**State vs. John Taylor.**

Indictment for stealing—plea not guilty ; verdict not guilty ; discharged.

**State vs. James Kelsey.**

Indictment for passing a counterfeit bank note—recognized to appear in court in \$100 ; no appearance ; bonds called and paid to state's attorney.

SAMUEL C. CRAFTS, Clerk.

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**ESSEX COUNTY.**

A statement of all the causes in favor of the State of Vermont, on the Dockets of Essex County and Supreme Court, for the County of Essex, for the year ending Oct. 1, 1837.

*Essex County Court, December Term, 1836.*

**State vs. Albert Fagg.**

Defaulted—cost not taxed.

**State Treasurer vs. Samnel B. Cooper.**

Continued.

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*May Term, 1837.*

State's Treasurer vs. Samuel B. Cooper.

Continued.

WM. GATES, Clerk.

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LAMOILLE COUNTY.

Statement of State causes on the Docket of Lamoille County Court.

*January Term, 1837.*

State vs. Joel Town.

Indictment for forgery—plea, guilty; sentence, one year in state prison and pay costs of prosecution, taxed at \$29 75.

State vs. H. S. Camp.

Indictment for selling liquor by small measure—continued.

State vs. Albert Camp.

Indictment for selling liquor by small measure—continued.

State vs. Willard Griswold.

Indictment for selling liquor by small measure—fine and cost, \$14 67; paid state's attorney; discontinued.

State vs. Carlos S. Noyes.

Indictment for selling liquor by small measure—continued.

State vs. David P. Noyes.

Indictment for selling liquor by small measure—fine and cost \$14 67; paid state's attorney; discontinued.

State vs. Samuel Merriam.

Indictment for selling liquor by small measure—fine and cost \$14 67; paid state's attorney; discontinued.

State vs. town of Eden.

Indictment for bad road—continued.

State vs. inhabitants of Johnson.

Indictment for bad road—continued.

State vs. Hydepark.

Indictment for insufficiency of highway—continued.

State vs. Morristown.

Indictment for bad road—continued.



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**State vs. Isaac Pennock Jr.**

Indictment for selling liquor—plea not guilty ; motion to dismiss overruled ; respondent excepts.

**State vs. Daniel Melvin.**

Indictment for selling liquor—fine and cost \$14 67 ; paid state's attorney ; discontinued.

Attest, P. G. CAMP, Clerk.

County Clerk's Office, HydePark, }  
October 15th, 1837. }

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**ERRATUM.**—In the appointments of officers of the House, "Joseph Somerby, Door-keeper," should be inserted.

















